

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES
APPROPRIATIONS COMMITTEE HEARING

STATE CAPITOL
HARRISBURG, PA

MAIN BUILDING
ROOM 140

THURSDAY, FEBRUARY 20, 2020
10:01 A.M.

BUDGET HEARING FOR THE
PENNSYLVANIA STATE POLICE/HOMELAND SECURITY

BEFORE:

HONORABLE GEORGE DUNBAR, MAJORITY CHAIRMAN
HONORABLE ROSEMARY BROWN
HONORABLE LYNDA SCHLEGEL-CULVER
HONORABLE SHERYL DELOZIER
HONORABLE JONATHAN FRITZ
HONORABLE MATT GABLER
HONORABLE KEITH GREINER
HONORABLE SETH GROVE
HONORABLE MARCIA HAHN
HONORABLE DOYLE HEFFLEY
HONORABLE LEE JAMES
HONORABLE JOHN LAWRENCE
HONORABLE JASON ORTITAY
HONORABLE CLINT OWLETT
HONORABLE GREG ROTHMAN
HONORABLE JAMES STRUZZI
HONORABLE JESSE TOPPER
HONORABLE JEFF WHEELAND
HONORABLE RYAN WARNER
HONORABLE MARTINA WHITE
HONORABLE EDWARD GAINNEY, MINORITY CHAIRMAN
HONORABLE DONNA BULLOCK
HONORABLE CAROLYN COMITTA
HONORABLE AUSTIN DAVIS
HONORABLE MARIA DONATUCCI
HONORABLE ELIZABETH FIEDLER
HONORABLE MARTY FLYNN
HONORABLE PATTY KIM
HONORABLE STEPHEN KINSEY

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BEFORE: (cont.)

HONORABLE STEPHEN McCARTER
HONORABLE BENJAMIN SANCHEZ
HONORABLE PETER SCHWEYER

ALSO IN ATTENDANCE:

HONORABLE ROB KAUFFMAN
HONORABLE FRANK RYAN
HONORABLE CRIS DUSH
HONORABLE BARRY JOZWIAK
HONORABLE CHRIS SAINATO
HONORABLE TOM CALTAGIRONE
HONORABLE ED NEILSON
HONORABLE GERALD MULLERY

COMMITTEE STAFF PRESENT:

DAVID DONLEY, MAJORITY EXECUTIVE DIRECTOR
RITCHIE LaFAVER, MAJORITY DEPUTY EXECUTIVE DIRECTOR
ANN BALOGA, MINORITY EXECUTIVE DIRECTOR
TARA TREES, MINORITY CHIEF COUNSEL

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*Pennsylvania House of Representatives
Commonwealth of Pennsylvania*

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I N D E X

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SUBMITTED WRITTEN TESTIMONY

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(See submitted written testimony and handouts online.)

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Summer A. Miller, Court Reporter
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P R O C E E D I N G S

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MAJORITY CHAIRMAN DUNBAR: Good morning,
everyone.

We're going to call this meeting to order.
It's the Appropriations hearing for the Pennsylvania State
Police. Since you're already standing, I guess we will
swear you in before we get started.

If you could all raise your right hand.

COL. ROBERT EVANCHICK, LT. COL. SCOTT PRICE,
MAJ. CHRISTOPHER PARIS, MAJ. MAYNARD GRAY, called as
witnesses, being duly sworn, testified as follows:

MAJORITY CHAIRMAN DUNBAR: So sworn. Please
have a seat.

And, Colonel, if you want to introduce
everybody.

COLONEL EVANCHICK: Good morning. I'm
Col. Robert Evanchick, the Commissioner of the Pennsylvania
State Police. With me today is Lt. Col. Scott Price, my
Deputy Commissioner of Operations, Maj. Maynard Gray, acting
Deputy Commissioner of Staff, and Maj. Christopher Paris,
acting Deputy of Administration and Professional
Responsibility.

1 MAJORITY CHAIRMAN DUNBAR: Very good, thank
2 you. And for everybody's edification, I am not Chairman
3 Saylor; I am Representative Dunbar. Stan is unfortunately
4 under the weather this week and we all hope he will be
5 feeling better and be back with us next week. And I am
6 joined by Representative Gainey.

7 If you have any comments --

8 MINORITY CHAIRMAN GAINEY: Just stepping in
9 for Chairman Bradford. He'll be back tomorrow.

10 Welcome, everybody. I'm looking forward to
11 hearing the testimony. Thank you.

12 MAJORITY CHAIRMAN DUNBAR: And we are also
13 joined by our majority chairman of the Judiciary Committee,
14 Chairman Kauffman, and we are also joined by Chairman
15 Sainato from Veterans Affairs and Emergency Preparedness.

16 And as opposed -- we've all read your
17 statements, so we're going to start right with questions, if
18 that's okay with you, Colonel.

19 COLONEL EVANCHICK: Yes, sir. Go ahead.

20 MAJORITY CHAIRMAN DUNBAR: Okay. And we'll
21 start off with Representative Struzzi.

22 REPRESENTATIVE STRUZZI: Good morning,
23 gentlemen.

24 COLONEL EVANCHICK: Good morning.

25 REPRESENTATIVE STRUZZI: Thank you, Mr.

1 Chairman.

2 First I want to say that I think -- and I
3 speak for all of us -- we truly appreciate the services that
4 you guys provide, that your men and women who are state
5 troopers provide, to our communities. But with that said,
6 I'm going to get right into, I think, what's one of the
7 biggest discussion points we'll probably have this morning
8 and that is the proposed municipal fee.

9 We all want to be able to provide the
10 resources that you need to service our communities and keep
11 your troopers safe, but we're talking about a \$136 million
12 gap. And in your testimony I read that it's a formula that
13 is fair and equitable; yet -- I represent Indiana County and
14 we have maybe two or three local police departments in the
15 county, most of it otherwise serviced by the State Police.
16 But in looking at the numbers -- and this is where I'm
17 concerned.

18 First of all, it's going to be very difficult
19 for our rural municipalities, boroughs, to be able to
20 afford, you know, to pay this fee to begin with. But just
21 looking at some of the numbers and some of these urban
22 communities, for example, Worcester Township in this part of
23 the state with a median income of \$139,000, their residents
24 per capita, or per person would only pay \$9.62. Yet, in
25 Armagh Borough, which is in the area that I represent where

1 the median income is only 81,000, they're going to pay \$92
2 per person.

3 I'm trying to understand, you know, how did
4 we arrive at this formula and is this the best way? As I
5 said, we all want to make sure you have the funding that you
6 need to do the job that you need to do, but is this the best
7 way to fill that \$136 million gap?

8 COLONEL EVANCHICK: In the past many years,
9 there's always been some type of fee proposal that's been
10 put out there. Some have been looked at in different ways,
11 there was a sliding fee, a \$25 fee, some other ones out
12 there.

13 Internally, we looked down -- last year we
14 provided incidents to everyone for their municipalities, as
15 well. No one really got back to us on anything. So we took
16 it upon ourselves this year to actually sit down and try and
17 look at a formula that might work, utilizing income --

18 MAJORITY CHAIRMAN DUNBAR: Colonel, can you
19 pull the microphone a little bit closer? Some people are
20 having trouble hearing. Thank you.

21 COLONEL EVANCHICK: -- as well as population,
22 whether they have a full-, part-time or no police
23 department. And try and come up with a formula where we're
24 able to fund that gap being removed from us from the Motor
25 License Fund. So we worked the numbers. We came up with

1 these different proposals here and we were able to come up
2 with some numbers.

3 Initially, we formulated it and it came up to
4 about \$98 million, working a little differently with the
5 numbers. We did also work it several other ways looking at
6 some of our stations that are forced minimums and some other
7 things.

8 Keeping in mind, we are concerned about the,
9 you know, rural communities because that's where we should
10 be doing some of our greater work. We understand that some
11 of these communities don't have the resources out there.

12 You know, the proposals before did not take
13 into account municipalities that had full-time law
14 enforcement. This spreads it out across the entire
15 Commonwealth.

16 If you go back to last year, I know we'll
17 talk about Hempfield Township, they were going to have to
18 pay over \$7 million in that proposal. Adjusting it with
19 this set of circumstances that we have, they only pay over
20 \$3 million.

21 However, you know, there was concern about
22 what are we doing down in the city of Philadelphia. They
23 don't pay anything, but we do a lot of work down there, as
24 well. You know, we have the interstate highways there that
25 we patrol. They are ours, as well. So we looked at that,

1 as well. And, you know, they're going to pay 97 cents a
2 person and pay over \$1 million towards this whole thing
3 here.

4 We based this on the cost per station
5 basically for the municipalities that are served by that
6 station or under that station. We looked at the total
7 costs, and then we looked at the yearly cost, divided that
8 by total population of the station area, and came up with a
9 cost per person pre-factor, basically. We then looked at
10 the cost per municipality, which was equal to the population
11 times that cost per some pre-factor.

12 So factoring all that in, we came up with the
13 income tiers, I think we have five in there. And we have
14 three different tiers for police, whether you have
15 full-time, part-time, or no service and strictly funded by
16 the State Police.

17 Looking at the big picture of all this, this
18 only gets us about 18 and a half percent back of all our
19 operating costs for all those stations that are out there.
20 So it's not like we're driving all this money just to fund
21 us entirely. It's only getting us about 18 and a half
22 percent.

23 And when you look at municipalities that have
24 full-time or part-time police coverage, we are still doing
25 work there. And I want to talk about --

1 REPRESENTATIVE STRUZZI: Right, right.

2 COLONEL EVANCHICK: -- police and patrol
3 work, criminal work. I'm not talking about lab services or
4 aviation assets or all of those other things which we do
5 also, but this is isn't even included in this package here.
6 This is stuff basically driven for patrol and crime related
7 functions in those areas.

8 In 2019, we did over 216,000 calls per
9 service in municipalities that have full- or part-time
10 police agencies. Some of those totals are, we had over
11 3,065 criminal investigations in those areas. That included
12 22 homicides, 135 death investigations, assault
13 investigations, 837, some robbery investigations, sex
14 offense investigations in the number of 571, and theft
15 investigations of 1482.

16 So there's some of the things that we're
17 doing in those municipalities, although they're not funding
18 us in any way.

19 REPRESENTATIVE STRUZZI: Right, right.

20 COLONEL EVANCHICK: Also, just one more
21 comment, traffic investigations in 2019, in local
22 municipalities, we had 7,155, crash investigations were
23 2,090, and we did 5,065 DUI arrests in those municipalities,
24 as well.

25 REPRESENTATIVE STRUZZI: Thank you.

1 I appreciate what you're trying to do, fill
2 the budget gaps. It's going to be hard for these rural
3 communities to cover that, though. And a lot of them tell
4 me, you know, "We are already paying our taxes, why do we
5 have to pay again?" And that's the argument that we hear
6 back home. But I'm out of time, so I appreciate your
7 testimony and your presence here today. Thank you.

8 MAJORITY CHAIRMAN DUNBAR: Thank you,
9 Representative.

10 In addition to Appropriations Committee
11 members and the standing committee chairs, we're also joined
12 by Representative Ryan, Representative Dush, Representative
13 Jozwiak, Representative Neilson, and Representative
14 Caltagirone. I hope I didn't miss anybody.

15 Next will be Representative Fiedler.

16 REPRESENTATIVE FIEDLER: Hello. Thank you
17 for being here.

18 I want to ask a question, sort of a follow-up
19 to a question that I asked last year, which was about a past
20 investigation that brought back some -- well, first I want
21 to thank you for being here, I think I did that -- a past
22 investigation that brought back some troubling allegations
23 that I know were troubling to all of us. And we talked
24 about it last year. Allegations that some troopers, after
25 pulling over a person of Latino appearance, immediately

1 asked if someone was a U.S. citizen before even asking for a
2 driver's license. My district and our state include many
3 people who could be negatively impacted by that sort of
4 thing.

5 Can you please tell us how the State Police
6 interact or work with ICE and what the State Police's
7 guidelines are for how troopers interact with people who are
8 undocumented immigrants?

9 LIEUTENANT COLONEL PRICE: Yes, ma'am. Good
10 morning.

11 So with regard to our policy -- we developed
12 a policy to address -- the policy generally is undocumented
13 foreign nationals, how we address those situations.
14 Essentially, we send out guidance to our troopers that say,
15 "This is what the policy is and this is what the policy is
16 not," for clarity.

17 So for example, one of the concerns is the
18 administrative warrants, that's always where this discussion
19 leads and what do we do with administrative warrants.

20 It is our policy -- and this is in accord
21 with case law and also USC 1373. It's our policy that we're
22 not in the business of enforcing administrative warrants.
23 And the law and the policy require that we can interact with
24 individuals in an investigatory capacity; however, perhaps
25 the most important point of the policy is that no stop is to

1 be expended beyond the initial purpose of the stop simply to
2 inquire about someone's immigration status, i.e. whether
3 they're the subject of an administrative warrant or, you
4 know, some sort of administrative civil action.

5 Criminal warrants are different. If there's
6 criminality, of course, and it's a criminal warrant that
7 exists, then we would take action on the criminal warrant.
8 But the policy doesn't allow the stop to be extended beyond
9 the initial reason.

10 So if it's the issue of a traffic citation
11 because of a traffic violation, we issue the citation, we
12 gather the information we need to gather to prepare the
13 citation, and then the individual is to be released at that
14 point.

15 REPRESENTATIVE FIEDLER: Thank you for that.

16 So to make sure I'm clear, so some of those
17 allegations that were made in the previous lawsuit, that is
18 not something that would be happening now, in which someone
19 would be pulled over, for example, and would be asked a
20 question about their immigration status, you know, even in
21 the very beginning before anything else? That's not
22 something that would be appropriate or be happening now?

23 LIEUTENANT COLONEL PRICE: That is not
24 something that should be happening under the current policy.
25 And keep in mind, some of those past situations that you

1 referred to, we did not have an abiding policy at that time.
2 So our troopers were operating with a dearth of information,
3 if you will, because we didn't have a clear-cut policy. And
4 we have since developed a policy, and it's as I had
5 explained.

6 REPRESENTATIVE FIEDLER: And I'm glad that
7 policy exists.

8 Could you explain to me how troopers are
9 trained to understand that policy and what measures are
10 taken as far as corrective action or if there is concern
11 brought up?

12 LIEUTENANT COLONEL PRICE: Yeah. So with
13 regard to the training, when we rolled out the policy, we
14 developed an online training module. Every legacy or
15 incumbent trooper was required to take the online training.
16 Concomitant with that, also we developed an academy class,
17 if you will, to address the policy. So every cadet, as a
18 new cadet, they're trained in the policy and every incumbent
19 trooper was trained retrospectively on the policy via an
20 e-learning platform.

21 With regard to investigations or if we
22 believe or if we receive a complaint that there's a
23 violation of the policy -- I'll turn that over to Major
24 Paris.

25 MAJOR PARIS: Representative, just to add to

1 what Lieutenant Colonel Price said, we're in the process of
2 rolling out training on diversity through a contract that
3 we've obtained through Strategic Partners Consulting.

4 In addition to that, it's been the policy of
5 this Administration that any allegation of racial profiling
6 warrants a full Internal Affairs investigation. So in 2019,
7 we received 12 bias-based complaints, which would be the
8 category specifically assigned for somebody saying, "I was
9 targeted" or "pulled over." One of those was sustained,
10 however, it was not for the bias part of the allegation.
11 There were other things in that investigation.

12 And just to give you some numbers, in 2019,
13 the State Police issued 315,000 warnings and another 650,000
14 citations for a total of about, roughly, 966,000 traffic
15 contents. The total contents -- contacts, excuse me -- for
16 overall calls for service are around 1.96 million.

17 So not only in the paradigm of a motor
18 vehicle stop, but also on a general call for service, if we
19 encountered an allegation that someone felt that they were
20 being treated in a biased manner, the numbers are
21 1.96 million contacts in Pennsylvania that yielded 12
22 bias-based complaints.

23 In addition, about the complaints, we have a
24 24-hour, 800 hotline, supervisors are routinely trained.
25 There's a policy in effect whereby if any member of any rank

1 is aware of any violation, that should be reported. And we
2 feel that from the online portal that we have, as well, in
3 addition to anybody can show up at any one of our
4 installations and lodge a complaint, that we have cast a
5 very wide net to try and allow people who feel that that's
6 been their encounter to bring that forward so that we can
7 look at that.

8 REPRESENTATIVE FIEDLER: Thank you. I
9 appreciate your time.

10 MAJORITY CHAIRMAN DUNBAR: Thank you,
11 Representative.

12 Next will be Representative James.

13 REPRESENTATIVE JAMES: Thank you, Mr.
14 Chairman.

15 Gentlemen, I'm over here to the right. Good
16 morning. Welcome. Thanks for all you do for the
17 Commonwealth.

18 I'd like to touch upon a subject which is
19 near and dear to, really the whole nation, but here in
20 Pennsylvania, the matter of school safety and assessment.
21 This is a service which was a priority of Act 44 of 2018 in
22 addressing the school safety issue, which is again
23 nationwide. And in a shameless plug for all the school
24 districts in my legislative district in Venango County,
25 they've all had active shooter training, very proud of that.

1 They were early.

2 So what is the status of the Pennsylvania
3 State Police expanding what you have termed the Risk and
4 Vulnerability Asset Teams as required by the act?

5 COLONEL EVANCHICK: Currently, there's a
6 total of nine members, one's a sergeant, two corporals, six
7 troopers. Within the coming months, we will have a total of
8 18 more, additional, or nine more people trained, which will
9 bring us up to 18. We're also going to train an alternate
10 for each troop command. So there will be 15 more put in
11 place, as well.

12 In order to get them trained, we used to go
13 down to FLETC training, which there weren't many spots
14 available. They were training some other entities. We
15 could only get one or two spots. So what we did, we
16 contracted with them, basically, to come up here and put the
17 training on in Pennsylvania. That's slated to take place
18 here in, I believe, March of this year. So all our people
19 there will sit in on that training. And then we will, total
20 numbers, I think at that point in time, will be up to 34
21 trained members across the Commonwealth.

22 REPRESENTATIVE JAMES: Okay.

23 LIEUTENANT COLONEL PRICE: If I could
24 piggyback onto something that the Colonel said, in addition
25 to cost savings -- and this goes to Representative Struzzi's

1 question relative to some of the services we provide for
2 local municipalities, whether or not they have their own
3 independent police agencies. We do our vet assessments of
4 critical infrastructure, not only schools, houses of
5 worship. We have a robust program that we're working with,
6 the Pennsylvania Emergency Management Office of Homeland
7 Security, to look at houses of worship.

8 But to that end, we provide these services
9 Commonwealth-wide to any district that requests it. To have
10 this done by an external entity, because of the training and
11 certification that's required and is generally only offered
12 by FLETC, the Federal Law Enforcement Training Center,
13 that's one of those services that the legislature has given
14 us a mandate to perform and we perform that whether or not
15 you have a local police agency. Most local police agencies
16 don't have the expertise to do it. And so we do that for
17 any community, any school district, anywhere in the
18 Commonwealth.

19 REPRESENTATIVE JAMES: Thank you for that.
20 We have some pretty tough local policemen. So they're not
21 to be trifled with.

22 How does the training which you are
23 establishing, how does that differ now or what new things
24 are you adding that you did before?

25 LIEUTENANT COLONEL PRICE: With regard to

1 what, sir?

2 REPRESENTATIVE JAMES: Again, active shooter
3 training. Are there new techniques and things that you can
4 reveal without giving the bad guys an upper hand? What's
5 different?

6 LIEUTENANT COLONEL PRICE: I don't know that
7 there'd be anything I'd be comfortable with in a public
8 forum.

9 I will say that we're, this is a
10 collaborative effort between our Bureau of Training and
11 Education and also our Bureau of Emergency and Special
12 Operations, our CERT teams. We're constantly evaluating the
13 best practices in the industry and evolving. The same goes
14 for our vet. You know, we're currently looking at, is there
15 the potential --

16 We understand that there are school districts
17 that have a lot of resources and school districts that have
18 limited resources. And, you know, there's the basic
19 necessities, if you will -- for example, camera systems --
20 and then there's the nice-to-have, which we understand many
21 school districts can't afford, although there is grant
22 funding available through PPCD.

23 So we're constantly evolving, in terms of
24 evaluating the training, but I wouldn't want to talk about
25 the specifics, particularly with regard to active shooter in

1 kind of this forum.

2 REPRESENTATIVE JAMES: Okay. But that's
3 helpful.

4 Is it safe to say you've already begun the
5 training assessments now? How many have you done statewide?

6 LIEUTENANT COLONEL PRICE: With our vet, I
7 believe we did 254 last year.

8 REPRESENTATIVE JAMES: Is there a long list
9 of people who are in the queue now?

10 LIEUTENANT COLONEL PRICE: Yes, I believe
11 there were over 100 in the queue.

12 COLONEL EVANCHICK: We have the
13 educational --

14 REPRESENTATIVE JAMES: So it won't take you
15 long to do all of them.

16 COLONEL EVANCHICK: The educational
17 background is backlogged at 210 assessments. For the
18 critical infrastructure and houses of worship, we're down
19 about 160, so a total of 370 assessments we're backlogged at
20 this point.

21 REPRESENTATIVE JAMES: Okay. Well, that
22 sounds great. I thank you all very much.

23 Thank you, Mr. Chairman.

24 MAJORITY CHAIRMAN DUNBAR: Thank you,
25 Representative.

1 Next will be Representative Bullock.

2 REPRESENTATIVE BULLOCK: Thank you, Mr.
3 Chairman.

4 Good morning, gentlemen.

5 COLONEL EVANCHICK: Good morning.

6 REPRESENTATIVE BULLOCK: I'm going to start
7 off just saying that, as you know, every year I've asked you
8 questions about the diversity and inclusivity of the state
9 troopers. And we've talked several years about your numbers
10 and ranks. And year after year, I've been quite
11 disappointed with that number. For me, it's very important
12 to understand that, with every agency, that our employees
13 reflect the citizens we serve, but it's significantly
14 important when it comes to our State Police because lives
15 are at risk.

16 And as I look at this year's numbers, I know
17 that there's been some improvements, but yet some more work
18 to do. First I'd like you to share with me what work you've
19 done, share your numbers for this year. I think that we
20 still have some work to do.

21 And honestly, gentlemen, I'm a little bit
22 disappointed, and I'll point it out, that the table does not
23 reflect what the Commonwealth looks like. I would have
24 hoped that you would have brought some more representation
25 today for today's hearing.

1 But if you could, share with me a little bit
2 about what you've been doing and what the state troopers
3 look like today in comparison to years past.

4 MAJOR PARIS: Yes, ma'am. Thank you very
5 much for that question.

6 I can tell you that when Colonel Evanchick
7 spoke to me about this position, this was one of, if not the
8 most, enforced priority for my position.

9 So from 2016 to 2020, we've seen a 17 percent
10 improvement of the minority male complement, a 27 percent
11 improvement of the female complement, a 33 percent
12 improvement of the minority women complement, and a
13 22 percent improvement of the target complement. So those
14 would be the statistics over that four-year period that
15 we're looking at.

16 Additionally, we can say that in our 115-year
17 history and nearly 50 years that we've had females, we're at
18 an all time high for females within the department,
19 including 322 currently, that includes cadets that are in
20 two cadet classes that are about to be trained.

21 So if you look at those numbers over that
22 four-year period, we've risen from 11.83 percent minority to
23 13.2 percent. Raw numbers, 507 minority members in 2016 and
24 we've grown to 618. As our complement has -- we've trained
25 up to our complement from the commitment to try and fill

1 those vacancies, that 13.2 percent represents 13.2 percent
2 of obviously a larger number from the numbers that we have
3 gained.

4 How have we done this?

5 We've reached out through technology, cell
6 phones, text messages, apps that will allow us to reach
7 millennials in areas like e-mail, social media, and house
8 visits. We've actually tasked our recruiters with going to
9 houses of targeted applicants under the theory that if
10 you're in a community that's underserved, you may have
11 certain opinions towards law enforcement such that if
12 somebody might express an interest in becoming a state
13 trooper, we feel that it's critical to sit down with the
14 family, so that the process, which is quite arduous, we can
15 develop a support network for that targeted applicant to say
16 that this is a career that we support you going after.

17 REPRESENTATIVE BULLOCK: Can we talk a little
18 bit about that process and the support network? Because I
19 think -- I've met some of your troopers that are doing
20 recruitment and they're doing an amazing job, but I do
21 believe, as you stated, that folks get recruited, but that
22 culture of inclusivity is not there. And so how do we
23 further support those new, those cadets, how do we make sure
24 they make it through academy? And what are the other
25 barriers? I know that you've made some changes in regards

1 to tattoos, but what are some of the other barriers that
2 we're seeing that are preventing certain communities from
3 coming into the State Police?

4 MAJOR PARIS: Absolutely.

5 Just a quick point of clarification, the
6 changes referencing tattoos are still under consideration.

7 REPRESENTATIVE BULLOCK: Okay.

8 MAJOR PARIS: They have not been promulgated
9 yet.

10 But in terms of assessing roadblocks,
11 essentially, we've cultivated veterans yellow ribbon events
12 because we identified that the 10 veterans points that are
13 awarded by an applicant, we need to have a significant
14 number of target applicants who, if we have the opportunity
15 to get them with military service can then compete.

16 Additionally, the cadet life tour has been
17 hugely successful. We believe we've seen a reduction in
18 some of our attrition rates, whereby cadets in general, but
19 targeted applicants, can come up and experience what the
20 cadet paradigm, the abasement, stress model academy is
21 actually like.

22 We've developed a mentoring program for our
23 15 full-time recruiters to go and specifically pick out
24 applicants who are interested, targeted applicants, and help
25 them be successful through all phases of the process.

1 We've partnered with PSAC, the Pennsylvania
2 State Athletic Conference, which has 18 universities. And
3 in particular, they have 8500 student athletes, of which 25
4 percent, 21-25, are target applicants and we feel that
5 that's a very rich recruiting ground. They're physically
6 active, they're part of a team, they know how to work hard
7 and be committed to goals.

8 We've identified 13 colleges and universities
9 for targeted recruitment based upon their percentages of
10 target applicants. And I can tell you then in 2019, there
11 were a total of 7,499 applicants that initially started the
12 process at the beginning of the process, 40 percent of them
13 were minorities. So we believe that we are tackling those
14 roadblocks. Additionally, we're redeploying one of those
15 recruiting full-time positions to the southeastern portion
16 of the state because we feel that that asset would be better
17 deployed in that more target-rich environment.

18 REPRESENTATIVE BULLOCK: Thank you.

19 And I will say that I've had some
20 interactions both in person and in social media with all of
21 your trooper divisions, all their letters -- J, K, L -- and
22 they have been amazing. And I look forward to working more
23 closely with them, and the entire State Police so that we
24 can push a little further and get those numbers a little
25 higher.

1 Thank you very much.

2 MAJOR PARIS: Thank you.

3 MAJORITY CHAIRMAN DUNBAR: Thank you.

4 Next will be Representative Culver.

5 REPRESENTATIVE SCHLEGEL-CULVER: Thank you,
6 Mr. Chairman.

7 Commissioner, over here. (Indicating.)

8 Good morning. Thank you for being here this
9 morning, and to all the state troopers, and for what you do
10 for the Commonwealth.

11 I represent about 28 municipalities, many of
12 them rural. And out of the 28, we only have eight police
13 departments, some full-time, some part-time.

14 Today I want to talk about Senate Bill 607,
15 which is the municipal radar bill. Pennsylvania has the
16 third highest number of speed related vehicle fatalities and
17 more people were killed in Pennsylvania on our highways than
18 in criminal acts. And if you look at the data provided by
19 the Department of Transportation, rural PA probably has
20 many, or much more of those speed related crashes.

21 We passed a bill out of committee, the Senate
22 bill. And I guess I have a couple of questions related to
23 the bill. Do the State Police support providing local
24 municipalities with radar?

25 COLONEL EVANCHICK: Yes, we do.

1 REPRESENTATIVE SCHLEGEL-CULVER: Do you
2 support all police officers or full- or part-time officers?

3 COLONEL EVANCHICK: Well, we'd have to see
4 the bill and see what actually it says. I'm not very
5 familiar with that one myself.

6 REPRESENTATIVE SCHLEGEL-CULVER: So second
7 question is, then, do you support full- or part-time or both
8 police departments?

9 COLONEL EVANCHICK: Oh, yes, we do.

10 REPRESENTATIVE SCHLEGEL-CULVER: I'm sorry?

11 COLONEL EVANCHICK: Yes, we do.

12 REPRESENTATIVE SCHLEGEL-CULVER: All of them?

13 COLONEL EVANCHICK: Yes.

14 REPRESENTATIVE SCHLEGEL-CULVER: Well, then,
15 this has been a very easy question for me.

16 We look for the bill to move later on this
17 spring. And there's been some controversy around it and I
18 have an amendment to fix, to make sure that all police
19 departments and all full- or part-time officers have the
20 opportunity to use radar, if they feel that it is compatible
21 with their area.

22 I know it's the number one request that we
23 get from our residents, is speed control. And as you know,
24 when there's not a lot of stop signs and there's no traffic
25 lights, people tend to drive a little bit faster than they

1 normally should. And it's impossible for you to be on all
2 of our rural roadways patrolling that.

3 So I appreciate your answers this morning and
4 please keep doing the good work that you do.

5 COLONEL EVANCHICK: Thank you.

6 REPRESENTATIVE SCHLEGEL-CULVER: Thank you.

7 MAJORITY CHAIRMAN DUNBAR: Thank you.

8 Brief follow-up, and I'm not sure if she
9 mentioned it or not, are you -- do you support that only
10 accredited police forces can have radar?

11 COLONEL EVANCHICK: Yes.

12 MAJORITY CHAIRMAN DUNBAR: So you would only
13 have radar for accredited local forces?

14 COLONEL EVANCHICK: Yes, I believe so. Yes.

15 MAJORITY CHAIRMAN DUNBAR: Thank you. Just
16 wanted to make sure.

17 Next will be Representative -- Comitta. I'm
18 sorry, Representative Comitta.

19 REPRESENTATIVE COMITTA: Thank you, Mr.
20 Chairman.

21 Good morning, Colonel, Mr. Commissioner, and
22 your esteemed colleagues.

23 As a former mayor of West Chester, I want to
24 thank you so much for serving and protecting the people of
25 Pennsylvania. I worked very closely with my police officers

1 in the borough and learned a lot as a mayor. And one of the
2 things that struck me as a new mayor, when I was talking
3 with one of our sergeants, was the effects of the stress of
4 being a police officer on an individual's mental and
5 physical health. And this sergeant gave me a book that you
6 may be familiar with, *Emotional Survival for Law Enforcement*
7 *Officers and Their Families*, by Dr. Gill Martin. I read it,
8 I bought enough for the entire police department and we
9 instituted a wellness program.

10 But I think what most people don't realize is
11 that police officers, law enforcement, fire, first
12 responders, are five times more likely than the general
13 population to suffer from PTSD, depression. And then I read
14 the life expectancy of a police officer is 60 -- 60. So I
15 said, "What can we do?"

16 First of all, I care about these individuals
17 who are serving and protecting our communities. Also, I
18 care about the people who are being served and we can only
19 be as good as -- we can only help people when we are well
20 ourselves.

21 So I wanted to know, what is the State Police
22 doing to help support, raise awareness and support our state
23 police officers?

24 LIEUTENANT COLONEL PRICE: One thing I'd
25 mention, both myself and Major Paris have an interest in

1 this area.

2 Just yesterday, your question is prescience
3 because I sent out a link for a required survey to all of
4 our members. So I've been working with Dr. Hakan Can and
5 Dr. Helen Hendy at Penn State, Schuylkill campus, actually.
6 And the nature of that survey is to look at stressors on law
7 enforcement, not only from the perspective of job stressors,
8 but also the stressors that law enforcement officers face
9 because we're in an environment currently where there's a
10 lot of negativity toward law enforcement among the public,
11 and what impact does that have on our law enforcement
12 officers. And then how do we best tailor our wellness
13 programs. And we have a very robust Members Assistance
14 Program, which Major Paris can address.

15 But ideally, that survey, it will give us a
16 statistically significant database of potentially four to
17 five thousand enlisted personnel. And then with the help of
18 Penn State -- it's completely anonymized, so we won't see
19 any of the responses, because that was a critical element of
20 the survey. And then working with Penn State, analyze that,
21 and attempt to develop, improve, or enhance our officer
22 wellness programs, the training and the support that we give
23 our officers. That will then parlay into Major Paris' area
24 of members' assistance.

25 MAJOR PARIS: Thank you, Representative.

1 Our Members Assistance Program is in its 33rd
2 year. So we're very proud of the fact, particularly with
3 2019 being the year that it has been for suicide in law
4 enforcement -- there's been several large agencies who've
5 been affected by it. Thankfully, we have not. But we have
6 seven full-time members that are in our Members Assistance
7 Program. And their duties are 100 percent devoted to the
8 mental health and well-being, not only of our members, but
9 also of our members' families and also municipal departments
10 which either ask or we will solicit, "Can we be of
11 assistance to you?"

12 We also have a very robust chaplaincy
13 program. We have 73 chaplains across the Commonwealth. The
14 level of interaction, I would say, is varied, but on
15 average, the chaplains are very engaged, even if they stop
16 into the facility on a semi-weekly basis just to check on
17 how people are doing, taking a pulse, if you will, on the
18 mental well-being of the people.

19 But just some numbers, within 2019, there
20 were 7,653 Members Assistance Program interactions, both
21 with our members and with their families. We're proud to
22 say that 275 were with other agencies. So to the point
23 about an agency that might not have as robust resources, if
24 there is a critical incident or some way that we can assist,
25 there was 11,300 hours dedicated to those. And we send them

1 out, to your point about some of the most stressful
2 incidents for a police officer or critical incident,
3 officer-involved shootings, death of a child,
4 multiple-fatality traffic incidents, et cetera, our Members
5 Assistance responded to 77 of those, where we physically had
6 a member from the Members Assistance Program there to try
7 and work our people through the steps of initially
8 conducting a post-incident diffusion, which is more closely
9 in time to when the actual critical incident occurred,
10 followed by a debrief, in terms of just telling them what
11 the physiological responses that their body is going to go
12 through as a result of being a part of this critical
13 incident. And we feel that the help and the services are
14 there, if our people take advantage of them.

15 REPRESENTATIVE COMITTA: Thank you so much.
16 Thank you for taking good care of yourselves and all the
17 people of Pennsylvania.

18 MAJORITY CHAIRMAN DUNBAR: Thank you,
19 Representative.

20 Next will be Representative Greiner.

21 REPRESENTATIVE GREINER: Thank you, Mr.
22 Chairman.

23 Thank you, Commissioner and gentlemen, for
24 being here today, much appreciated.

25 I want to switch gears to a different topic.

1 I'm going to talk about PICS system. The first question is
2 going to be three-pronged. I have two questions, but the
3 first one is three-pronged.

4 First one, how are you working to improve and
5 update the PICS system, such as a web-based system, to
6 perform background checks? And then, is the online system
7 working? And should an online system help reduce the
8 Pennsylvania State Police costs to operate that system?

9 And then the follow-up to that would be, what
10 other operational or technological changes are you
11 considering for the system to improve those background
12 checks?

13 LIEUTENANT COLONEL PRICE: Sir, thank you.

14 So with regard to PICS, technological
15 enhancements, we do have a web-based application. Several
16 years ago we rolled that out with flex check. The vendor is
17 a company called Tailored Solutions and it allows dealers to
18 access the system electronically. They can either come in
19 electronically through the web or they can come in through
20 an IVR, an integrated voice response system.

21 So we actually do have a web-based
22 application. And that was designed to improve the efficacy
23 at the dealer level. So a dealer can put checks into a
24 queue and they don't necessarily have to tie up a phone
25 line.

1 In addition, though, we're working right now,
2 we worked for many years, our mental health relief processes
3 were not acknowledged by the federal government to be
4 adequate. And it was largely semantics in terms of the
5 legislation and regulatory processes surrounding PICS. We
6 worked for many years to actually put ourselves in a posture
7 that would have the feds acknowledge our relief process, and
8 we were successful doing that last year. Now that reaps a
9 number of benefits. One of which, it opens up a second
10 grant stream for funding for us.

11 So in the past we were limited to NCHIP
12 Grants, National Criminal History Improvement Program
13 Grants. With getting our federal process, or our mental
14 health relief process acknowledged, if you will, we are now
15 eligible for NARP grants, which are NICS Act Record
16 Improvement Grants. We currently have an application with
17 NARP. And our intent is to, with the approval of the ATF --
18 I believe we have a conference call next week with ATF --
19 the 4473, which is the federal form, what that NARP Grant
20 proposal would allow us to do is auto-populate that form,
21 4473, from the current information that a dealer enters. If
22 they do electronic record of sale, or EROS, it would
23 electronically populate the federal form 4473.

24 We know that that's a functionality that the
25 dealers have asked for. And, in fact, some dealers have

1 paid for independent systems to accomplish that. We're
2 going to try to accomplish that on the front-end and offer
3 that to dealers.

4 With regard to technological enhancements, it
5 always morphs into the discussion on PICS downtime.

6 So PICS downtime last year -- and that's a
7 little bit of a misnomer in the sense that, when we talk
8 about PICS, there's the flex check database, which is PICS,
9 and there's the integrated voice response. Beyond that,
10 PICS is essentially a query system that reaches out to
11 various databases to return information.

12 So for example, we hit NICS, but we hit
13 Pennsylvania PFAD, PFA database. So PICS is essentially a
14 front-end process that utilizes a query, an
15 importer/exporter to pull data back. If any one of those
16 systems that we query goes down, and one of those systems
17 being NICS, then PICS can't process. So when we talk about
18 PICS being down, I think the salient point is, in many
19 instances, it's not PICS per se, it's perhaps the
20 Commonwealth Law Enforcement Assistance Network, it could be
21 PennDOT, it could be JNET, or it could be a Verizon problem
22 with phone lines.

23 So when we look at improving the technology
24 and improving PICS downtime -- so last year our downtime was
25 about .8 percent. We were up 98.2 percent of the time.

1 That .8 percent was about 2400 minutes of downtime. Six
2 hundred minutes were attributable to NICS. But those
3 systems that are out there, the clean system, for example,
4 or JNET, you know, NICS in fact in and of itself, they're
5 not all high availability systems.

6 In order, in the technology world, to improve
7 your availability and reduce your downtime, it's
8 extraordinarily expensive.

9 REPRESENTATIVE GREINER: Yeah. I just have
10 about 30 seconds. Are we saving any costs, though? Is
11 there any cost savings for us here in the Commonwealth by
12 this increased technology?

13 LIEUTENANT COLONEL PRICE: Yeah, the improved
14 technology, essentially, in terms of cost savings, it
15 translates to operational costs for the dealers, but --

16 REPRESENTATIVE GREINER: But not for --

17 LIEUTENANT COLONEL PRICE: -- not for PSP.

18 REPRESENTATIVE GREINER: Let me just -- and
19 somebody might follow up with this -- because I know there's
20 a big discussion here in Harrisburg, has there been any
21 thought or consideration just of going to the NICS system
22 and why or why not?

23 LIEUTENANT COLONEL PRICE: Yeah. There's a
24 whole host of benefits for PICS over NICS, we believe.

25 You know, I could cite the demographic

1 checks. We initiate demographic checks using, for PFAD, for
2 example, or for PennDOT, where we actually query PennDOT and
3 bring back information. If you don't do that, what ends up
4 happening is you miss name changes or marital name changes
5 in the queries. You also potentially miss protection from
6 abuse orders, 1500 of which only we can query because
7 they're in PFAD without demographic indicators.

8 And in fact, the challenge process, which
9 benefits the end user, the burden is on us in Pennsylvania,
10 so if you want to challenge a denial, we do the work. We
11 get the records, we evaluate them, we do the work.

12 If you want to challenge a NICS denial, you
13 have to get the records, which are sometimes really hard to
14 get depending upon what county court and how old the records
15 might be. You provide them to NICS. So we're customer
16 centric; NICS can't be because of the breath.

17 REPRESENTATIVE GREINER: My time is up. I
18 probably would have had a follow-up, but I thank you for
19 your answers. And once again, thank you for being here and
20 for your commitment to the people here in the Commonwealth.

21 LIEUTENANT COLONEL PRICE: Yes, sir.

22 MAJORITY CHAIRMAN DUNBAR: Thank you,
23 Representative.

24 Next will be Representative Kinsey.

25 REPRESENTATIVE KINSEY: Thank you, Mr.

1 Chairman.

2 Gentlemen, I want to thank you for being here
3 this morning and I want to thank your team, as well.

4 Lt. Col. Scott Price, I want to personally
5 thank you. I believe that we had a conversation on behalf
6 of the Pennsylvania Legislative Black Caucus in regards to
7 an incident. And you since went out to address it. So I
8 want to say thank you very much for that, as well.

9 Just recently I had an event in
10 Philadelphia -- in fact, it was just two days ago -- where
11 we actually had a community conversation dealing with gun
12 violence. And one of the unique things we did was we
13 actually had a recruiter from the State Police there.
14 Lieutenant Bailey came out with staff. So I want to thank
15 you for that. Because, you know, as we deal with crime and
16 violence in the city of Philadelphia, one of the
17 conversation pieces is that there's a lack of opportunities
18 and I just want to say that Lieutenant Bailey did an
19 excellent job in the inner city talking to individuals about
20 becoming state troopers, so I applaud the work that he's
21 done with that, and thank you for that, as well.

22 Major Paris, I just want to go back. You
23 mentioned earlier something about Internal Affairs
24 investigations. Are there situations where investigations
25 are handled independently outside of Internal Affairs?

1 MAJOR PARIS: In the context of a bias-based
2 policing complaint?

3 REPRESENTATIVE KINSEY: Yes.

4 MAJOR PARIS: If we are made aware of the
5 complaint, our Internal Affairs Bureau, which is completely
6 operationally separate, investigates that complaint.

7 REPRESENTATIVE KINSEY: I'm sorry? You
8 said --

9 MAJOR GRAY: Investigates the complaint, our
10 Internal Affairs Division investigates the complaint.

11 REPRESENTATIVE KINSEY: So have there ever
12 been situations where those investigations have been sent
13 out for an independent investigator -- investigation, I'm
14 sorry?

15 MAJOR GRAY: The only context that I can
16 think of, subject to Lieutenant Colonel Price, would be,
17 when I quoted earlier, the bias-based, those are
18 specifically bias-based interactions outside of the agency.
19 In addition to that, we do have a discrimination header, as
20 well. Sometimes it meets both definitions.

21 REPRESENTATIVE KINSEY: Okay.

22 MAJOR PARIS: But I'm thinking if there's a
23 discriminatory allegation, member on member, civilian on
24 civilian, or any of those types of interactions within the
25 agency, I believe they have the ability to go to the state

1 or the federal equality and inclusion apparatus and make a
2 separate complaint.

3 REPRESENTATIVE KINSEY: Great. Thank you for
4 that.

5 LIEUTENANT COLONEL PRICE: And just to add to
6 that, so we work closely. Actually, it's Captain Brown's
7 office from whence Lieutenant Bailey hails. We work closely
8 also with the Pennsylvania Human Relations Commission --

9 REPRESENTATIVE KINSEY: Okay.

10 LIEUTENANT COLONEL PRICE: -- in terms of
11 coordinating and looking at getting investigative expertise
12 for those particular investigations.

13 REPRESENTATIVE KINSEY: Great. I appreciate
14 that. Thank you.

15 Major, also I think you mentioned about
16 recruitment and you talked about target universities. And
17 as Representative Bullock was asking the question about
18 diversity, the target universities, are Cheyney and Lincoln
19 included in that? I mean, they're the only two HBCUs that
20 we have here in the state of Pennsylvania.

21 MAJOR PARIS: I don't have it written here,
22 but I believe that they are.

23 REPRESENTATIVE KINSEY: Okay. And if they're
24 not, I'm just going to make a suggestion that they should
25 be, recognizing the historical background of those two

1 universities.

2 LIEUTENANT COLONEL PRICE: Sir, they are.
3 And if I could just address that, because I think this is
4 really important.

5 The Commonwealth, we've transitioned to a
6 platform called NEOGOV in the Commonwealth and the State
7 Police are coming up on NEOGOV, which is a front-end
8 applicant processing functionality. So if you want to apply
9 for a job with the Commonwealth, and we've brought our
10 Liquor Control Enforcement recruitment process on board with
11 NEOGOV, our cadet process, our state trooper enlisted
12 process is scheduled to come up on board most likely
13 July 1st. That's incumbent upon getting a contract in
14 place, an RFP, because the testing is moving away from the
15 civil service centers.

16 REPRESENTATIVE KINSEY: Sure. Yeah.

17 LIEUTENANT COLONEL PRICE: If you sign up on
18 NEOGOV, you can actually indicate preferences if you're
19 looking for a particular job.

20 REPRESENTATIVE KINSEY: Great.

21 LIEUTENANT COLONEL PRICE: So our talent
22 management folks actually have, in the past year, they've
23 worked on getting us on board with NEOGOV because we had
24 hoped that this would improve our ability to reach our
25 candidates, to stay in continued communication with our

1 candidates, particularly diverse candidates.

2 We are currently processing for Liquor
3 Control Enforcement agents. And in the past, we had
4 difficulty getting a large pool of applicants. We would get
5 perhaps a few hundred. There was concerns whether we could
6 fill a class of 40 Liquor Control Enforcement agents because
7 of the limited number of applicants.

8 We came up on NEOGOV and, you know, you can
9 indicate preferences, you can get job announcements. The
10 results thus far are extremely encouraging, in fact,
11 remarkable. So for our current Liquor Control Enforcement
12 processing cycle, we've had 2692 applicants, which is
13 unheard of. Of those, 1475 are our targeted candidates, our
14 diverse population, 54.79 percent diverse candidates. Of
15 those who have actually scheduled the exam, not just signed
16 up, but scheduled the exam, we're at 1550 folks scheduled
17 the exam, 907 or 58.2 percent, are our diverse candidates.

18 REPRESENTATIVE KINSEY: Great.

19 LIEUTENANT COLONEL PRICE: So this is, for
20 us, I mean, these are historically high numbers and
21 historically high numbers with regard to diversity.

22 The other thing I would mention, we are
23 extremely, extremely anxious to get that up online for our
24 cadet process because we believe, along with the mentoring
25 program, this continued engagement, you know, you can go in,

1 you can look at your status, you can get information, you
2 can get job announcements -- this is huge for us. We're
3 anticipating a class in May, a cadet class, and we don't
4 know what the numbers will look like just yet, but if we
5 postulate that we would be looking at potentially 60 cadet
6 applicants, 50 percent -- or 30 percent of those that we're
7 looking at in the next class will be diverse candidates
8 right now.

9 REPRESENTATIVE KINSEY: I thank you for that.
10 I know that my time is up. And hopefully, maybe I'll come
11 back and talk about the heritage department sometime soon.

12 But thank you very much for sharing.

13 MAJORITY CHAIRMAN DUNBAR: Thank you,
14 Representative.

15 Next will be Representative Gabler.

16 REPRESENTATIVE GABLER: Thank you, Mr.
17 Chairman.

18 Thank you, Commissioner and Deputy
19 Commissioners. Great to spend some time with you this
20 morning. I want to return to the topic of the firearms
21 checks, the Pennsylvania Instant Check System, or PICS.

22 In your written testimony, you stated that an
23 increase in fees for the Instant Check System merits
24 consideration in order to make it self-sufficient. So I
25 wanted to take a couple of minutes to talk about kind of how

1 the financials behind the PICS system work.

2 So first, I understand that currently there
3 is a \$5 fee per transaction, which consists of a \$2 fee and
4 a \$3 surcharge. What is the difference between the fee and
5 the surcharge and what funds do those moneys feed?

6 LIEUTENANT COLONEL PRICE: The difference is,
7 there's a \$2 fee, which is the basic PICS fee, then there's
8 an additional \$3 fee, which is called a taxable surcharge.
9 So it's a surcharge on a taxable transaction. So if I want
10 to transfer a handgun to you and we go to a dealer to
11 facilitate that, that's \$2. If I buy from a dealer's stock,
12 that's a taxable transaction, so that's \$5.

13 REPRESENTATIVE GABLER: Okay. And where does
14 that money go? Does that all go into the Firearms Ownership
15 Fund?

16 LIEUTENANT COLONEL PRICE: I'm not familiar
17 with the Firearms Ownership Fund. Those moneys come back to
18 PICS and support PICS.

19 REPRESENTATIVE GABLER: Okay. Is that a
20 restricted account?

21 LIEUTENANT COLONEL PRICE: I believe so, but
22 I would have to confirm that to be certain.

23 REPRESENTATIVE GABLER: Okay.

24 So I want to express some concern. I think
25 that taking those fees higher would place an additional

1 burden on law-abiding citizens. It would also have a
2 chilling effect potentially on our small businesses that
3 rely on this economic activity with law-abiding citizens.
4 So I want to be very careful to make sure that we're
5 managing the PICS system in a way that is accountable and is
6 delivering the results that are being paid for.

7 So in the budget request, PICS is listed
8 under two line items that I see, the law enforcement
9 information technology line item, which is funded at 27 and
10 a half million in the Governor's request, and also the gun
11 checks line item, which is a \$5.7 million line item, which
12 has a three-point -- excuse me -- \$1.3 million increase over
13 last year.

14 Also of note is a projected 41 percent
15 decrease in revenues from gun check fees in the coming year.
16 I was wondering where the projection would come from to show
17 that projected decrease in fees in the coming year.

18 LIEUTENANT COLONEL PRICE: I don't know the
19 answer to that.

20 Generally, our gun checks -- you know, we've
21 seen a ramp up over the years. In terms of fiscal
22 responsibility, essentially our PICS unit hasn't had any
23 increase in manpower since 1998, when it was founded. That
24 year we did about 200,000 total PICS checks. Last year we
25 did mid-900,000. They've been hovering between 950,000 and

1 a million.

2 REPRESENTATIVE GABLER: Could you tell me a
3 little bit about the manpower that you have in the PICS --
4 who is actually providing -- sorry, I'm too close to the
5 mic. Who is providing the manpower in the gun checks
6 department? Is that actually full uniform troopers or is
7 that a staff of technicians? Who is actually providing
8 those checks?

9 LIEUTENANT COLONEL PRICE: Yeah. They're
10 civilian employees, "legal analysts II" is their
11 classification. They're civilian employees and civilian
12 supervisors. There's -- in the actual operational division
13 of PICS, which run the PICS check and so forth, they're not
14 the back-end accounting folks. The actual operational unit
15 of PICS, there's one enlisted supervisor and the remainder
16 are civilian employees.

17 REPRESENTATIVE GABLER: Okay. So we don't
18 have -- because one of the questions I wanted to make sure
19 of is when we're talking about the need for a cadet class,
20 we're not running someone through a cadet class, getting
21 them ready to be a trooper, and then putting them in the gun
22 checks unit.

23 LIEUTENANT COLONEL PRICE: No, sir.

24 REPRESENTATIVE GABLER: Okay. That's
25 helpful.

1 So overall, my question is this: What sort
2 of assurances can we have that PICS is doing its part to
3 control costs going forward, especially considering the fact
4 that the comparison that we have is the national system,
5 which has no fee? The comparison that we have, the National
6 Instant Check System, is available to all states.

7 Pennsylvania has made a policy determination to be a point
8 of contact state, which means we run our own system, which
9 means that we depend on the PennDOT system being up, the
10 clean system being up, the Verizon lines to work. But as
11 you said in a prior question, NICS was only down 600 minutes
12 last year. And NICS has all of that stuff loaded into a
13 federal database that is readily available instead of having
14 to hit seven computers simultaneously.

15 So how is it that we can be assured that --
16 you know, right now we've got a \$5 fee and the policy
17 proposal may be for higher fees for something that is still
18 based on a construct that is more prone to fail.

19 The cost benefit analysis there seems to me
20 to be a little bit of a challenge to justify.

21 LIEUTENANT COLONEL PRICE: So to your point
22 that NICS contains all the information that, you know, PICS
23 does, that's not entirely accurate.

24 As I had mentioned before, in the PFAD
25 system, the Pennsylvania Protection From Abuse Database, you

1 can enter a protection from abuse with only a name, no
2 demographics, no date of birth, no Social Security number.
3 At any given time in that database, there are about 1500 --
4 and this has remained constant over a number of years.
5 There are about 1500 PFAs without that demographic piece.
6 So that can't be entered in NICS.

7 Through PICS, we actually do the query and do
8 a manual vetting process if it hits on name only to
9 determine whether or not that individual is prohibited.
10 NICS doesn't have access. And we've explored getting NICS
11 access, but they simply won't allow entry either in NCIC or
12 in NICS with name only. They need that demographic
13 identifier.

14 There's also other information. Now we have
15 built a robust program to include state only offenses. We
16 have transmitted those to NICS. We transmit our mental
17 health records to NICS, because that's an issue, a public
18 safety issue, to ensure that someone external to
19 Pennsylvania would have that information. But despite our
20 best efforts, there's still information that we can't get
21 into NICS simply because of the construct.

22 In terms of controlling costs, I mean, we're
23 fiscally responsible. Some of the cost increases in PICS,
24 when we build in enhancements like flex check, that's a
25 dealer enhancement, it's to make the dealer process more

1 efficient. So sometimes we take on those costs to benefit
2 our end users because we understand these are small
3 businesses. And we support our dealers. And our dealers
4 are some of our best resources in terms of providing
5 information on straw purchases. We have an extremely strong
6 dealer network and we rely on them and we would hope that
7 they rely on us.

8 But in terms of controlling costs, you know,
9 we do see cost increases because of contractual and labor
10 agreements, and that's largely where our cost increases in
11 PICS come from. We have leveraged NCHIP Grants and now
12 we're leveraging NARP Grants to build these improvements.
13 So I can confidently say, having been in the PICS unit,
14 overseen it for five years, we make every effort to leverage
15 every possible funding source to not further burden
16 Pennsylvania taxpayers.

17 REPRESENTATIVE GABLER: I know my time is up,
18 I just want to say I'm encouraged to hear that you're
19 continuing to work to push that information to NICS, because
20 I think that is very important, like you said, for folks
21 external to the state. And I think there's more work that
22 could be done going forward to fully integrate as much as
23 possible and find more efficiencies.

24 So thank you.

25 LIEUTENANT COLONEL PRICE: Thank you.

1 MAJORITY CHAIRMAN DUNBAR: Thank you,
2 Representative.

3 Next will be Representative Schweyer.

4 REPRESENTATIVE SCHWEYER: Thank you, Mr.
5 Chairman.

6 I find it amazing that here we are with some
7 of the most egregious amount of gun violence that we've had
8 in generations, that we're still having a conversation on
9 whether or not Pennsylvania should be in charge of our own
10 public safety and whether or not we should use our own data
11 to determine whether or not somebody should legally and
12 lawfully own a firearm. I find it to be absolutely
13 fascinating because the word I would actually choose to use
14 would not be appropriate for this hearing.

15 I had the largest mass shooting in my city's
16 history last year where 10 people were shot outside of a
17 nightclub. Two of the firearms used would not have been
18 eligible for some of the background checks because they were
19 long rifles -- let me rephrase, AR-15s. One of them was an
20 illegal pistol. Regardless, it is just absolutely,
21 absolutely shocking to me that we're still wondering whether
22 or not we should have a firearms check system of our own,
23 which, by your own testimony, includes at least 1500 people
24 that should not have access to a firearm through the PFA
25 check system.

1 So thank you, gentlemen, for standing up for
2 the safety and security of Pennsylvanians across the
3 Commonwealth.

4 Continuing on the topic of the funding of the
5 PICS system, can you elaborate, briefly please, on how much
6 you're seeking in that additional federal agreement? That's
7 the first time I've heard that information.

8 LIEUTENANT COLONEL PRICE: We don't have an
9 exact estimate --

10 REPRESENTATIVE SCHWEYER: Okay.

11 LIEUTENANT COLONEL PRICE: -- because we're
12 in the process of working with the vendor to -- and working
13 with ATF to ensure that we're compliant. And then once we
14 have the parameters, the requirements gathering done,
15 then -- so we don't actually know what the cost --

16 REPRESENTATIVE SCHWEYER: Somewhere between
17 zero and \$5.7 million, apparently?

18 LIEUTENANT COLONEL PRICE: Yes, sir.

19 REPRESENTATIVE SCHWEYER: Okay. Fair enough.

20 I keep hearing that the onerous costs of the
21 \$5 for the purchase of a firearm might be high. Again, I'm
22 still shocked by this, but the actual cost is roughly ten to
23 eleven dollars per background check, and that was a
24 Legislative Budget and Finance Commission report that came
25 out a couple of years ago. Those numbers are still

1 approximately right, correct?

2 LIEUTENANT COLONEL PRICE: Yes, sir. LBFC is
3 mandated per the law to do that evaluation every five years.
4 I think we're actually due next year. I think we're due
5 2020 for the next evaluation.

6 REPRESENTATIVE SCHWEYER: Okay.

7 So because the cost to the firearm purchaser
8 is \$5, the Commonwealth of Pennsylvania is subsidizing
9 roughly a million gun background checks to the tune of an
10 additional \$6 roughly, equaling to \$5.7 million. And that
11 \$5.7 million of subsidy from other taxpayers, like me, comes
12 out of a general fund appropriations, correct?

13 LIEUTENANT COLONEL PRICE: Some of it, yeah.
14 I believe PICS is three sources, it's GGO, a gun checks
15 appropriation, and then the PICS fees are the three funding
16 sources.

17 REPRESENTATIVE SCHWEYER: Okay.

18 Now, conversely, the conversation about
19 raising this fee, which hasn't been raised since, what,
20 1997, 1998 when the program came into existence in the first
21 place -- by the way, I was still in college and I'm now in
22 my 40s. The additional fee is not translated into what the
23 gun dealer actually charges, correct? So a gun dealer has
24 to remit up to \$5 to the Commonwealth for this, but they
25 could charge whatever administrative fee they choose to on

1 top of it, right?

2 LIEUTENANT COLONEL PRICE: That's correct,
3 sir. Yes.

4 REPRESENTATIVE SCHWEYER: Okay. So a gun
5 dealer somewhere in the middle of Pennsylvania or in one of
6 our urban cores or anywhere would remit up to \$5, assuming
7 it's a taxable sale, to the Commonwealth, but they could
8 charge \$25, \$50, \$100, they could call it an Obama tax if
9 they want to, they could call it a Tom Wolf tax if they want
10 to, they could blame the Commonwealth for it, but they're
11 really only transmitting up to \$5.

12 LIEUTENANT COLONEL PRICE: That's correct,
13 sir. Yes.

14 REPRESENTATIVE SCHWEYER: Okay. So we could,
15 in theory, do two things simultaneously, which is fund the
16 PICS system from the actual users of the PICS system, which
17 are those people that are purchasing firearms; and yet, at
18 the same time protect firearm owners, or purchasers, from
19 what I would consider price gouging from some, certainly not
20 all and probably not many of them, but a certain number of
21 gun dealers who might be charging an exorbitant
22 administrative fee on top of it. We could choose to do
23 something like that, correct?

24 LIEUTENANT COLONEL PRICE: I think that's a
25 legislative practice.

1 REPRESENTATIVE SCHWEYER: When I said "we," I
2 meant us on this side of the table. But there's nothing --
3 that would accomplish your goal of making sure it's funded,
4 so we're not pulling another, you know, \$5.7 million out of
5 the general fund; and yet, at the same time, theoretically
6 protect a gun purchaser from exorbitant costs on top of it.

7 LIEUTENANT COLONEL PRICE: Again, sir, I
8 would refer to the legislature.

9 REPRESENTATIVE SCHWEYER: That's our
10 decision. I understand.

11 All right. And I just want to -- before my
12 time is up because the yellow light is coming on -- I just
13 want to make sure I heard that correctly. Last year you
14 processed over 900,000 background checks in the Commonwealth
15 of Pennsylvania?

16 LIEUTENANT COLONEL PRICE: That's total
17 firearms transfers.

18 REPRESENTATIVE SCHWEYER: Okay.

19 LIEUTENANT COLONEL PRICE: There's actually
20 about 700,000. The remainder are -- we do license to carry
21 checks for sheriffs' departments and also evidence returns.

22 REPRESENTATIVE SCHWEYER: Okay. And how many
23 people were denied access to a firearm because of our PICS
24 system?

25 LIEUTENANT COLONEL PRICE: I don't have an

1 exact number right in front of me. It was over 10,000, I
2 believe.

3 REPRESENTATIVE SCHWEYER: That's very
4 important.

5 Thank you, gentlemen, for all you do to keep
6 our communities safe.

7 MAJORITY CHAIRMAN DUNBAR: Thank you,
8 Representative.

9 Next will be Representative Ortitay.

10 REPRESENTATIVE ORTITAY: Thank you, Mr.
11 Chair.

12 I want to point out from the previous speaker
13 and, you know, correct the misnomer that PICS makes us a
14 safer state. NICS can do the same things that PICS does if
15 we upload the data. The technology has changed a lot over
16 the last 15 years.

17 I made the trip to Clarksburg, West Virginia,
18 where NICS is headquartered, and they can upload and do
19 anything that we ask them to do today. I know that's
20 different from the previous Administration, but it is true.
21 And we pay a lot of extra money to have the PICS system,
22 which is what I want to get into in this hearing here.

23 And the first question is, I notice in the
24 budget book on page -- what was it -- page 30, and the
25 estimated amount from the Firearms Ownership Fund, it's at

1 2.5 million; whereas, last year it was at 3.9 million. Are
2 you expecting a drop in firearm sales in this coming budget
3 year?

4 LIEUTENANT COLONEL PRICE: Generally, we have
5 seen -- between last year and this year, we've seen some bit
6 of a downtrend looking at industry trends, things that we
7 look at, National Shooting Sports Foundation and so forth.
8 There does appear to be a decline or an excess stock, if you
9 will. So, again, it's a projection based upon a limited
10 data set.

11 REPRESENTATIVE ORTITAY: Well, it seems like
12 a pretty big drop. I didn't know if there was something
13 behind there, your methodology that actually -- that you had
14 arrived at a lower number like that.

15 LIEUTENANT COLONEL PRICE: Not that I'm aware
16 of, sir.

17 REPRESENTATIVE ORTITAY: Okay. Now, you
18 mentioned in a previous question about NARP Grants. How
19 much are you applying for?

20 LIEUTENANT COLONEL PRICE: As I said, that
21 remains to be seen because we're waiting for estimates to
22 determine what exactly the cost of the enhancement would be.

23 REPRESENTATIVE ORTITAY: Do you know about,
24 what's the maximum amount that you could possibly get? I
25 didn't know if there's a limit from applying, if there's a

1 top, bottom.

2 LIEUTENANT COLONEL PRICE: Yeah. I believe
3 there is, but NARP is largely one fund and then they
4 determine how many grants, or how many applications they're
5 going to fund and then they divide it up. I'm not sure what
6 the max is.

7 REPRESENTATIVE ORTITAY: So it's not a given
8 that you'll actually get the grant.

9 LIEUTENANT COLONEL PRICE: That's correct.

10 REPRESENTATIVE ORTITAY: Okay. And do you
11 know the time frame on that? When the application is due?
12 When it will be awarded? When you'll see the money?

13 LIEUTENANT COLONEL PRICE: Yeah. I don't
14 have specific dates.

15 REPRESENTATIVE ORTITAY: Okay. When you do,
16 can you get that back to the committee?

17 LIEUTENANT COLONEL PRICE: Yes, sir.

18 REPRESENTATIVE ORTITAY: All right.

19 And I also want to go back to staffing. I
20 think you had mentioned that staffing is just under a
21 million dollars a year for staff. How many personnel do you
22 have working at PICS?

23 LIEUTENANT COLONEL PRICE: The legal
24 assistants, legal assistant IIs, the supervisors, there's
25 approximately 68, I believe.

1 REPRESENTATIVE ORTITAY: Okay. And you said
2 you've had the same number of staff since 1998?

3 LIEUTENANT COLONEL PRICE: We have the same
4 number of staff on the operation side, processing background
5 checks, within one or two folks.

6 REPRESENTATIVE ORTITAY: So even with the
7 technological advancements and the online piece of PICS, we
8 still have the same amount of people administering the
9 system? Is that what you're saying?

10 LIEUTENANT COLONEL PRICE: We have the same
11 amount of people, yeah, evaluating background checks.

12 REPRESENTATIVE ORTITAY: Okay.

13 LIEUTENANT COLONEL PRICE: And then just for
14 explanation, sir.

15 There's no -- within the PICS system, there's
16 no auto-denial, if you will. There's potentially an
17 auto-approval if there's no database hits. But there's
18 never an auto-denial. Anytime a database hit occurs -- and
19 they call them screen pops -- but anytime there's a database
20 hit, whether it's NICS, whether it's PFA, whether it's
21 criminal history, that has to be sorted and evaluated by a
22 person.

23 REPRESENTATIVE ORTITAY: Right. And with the
24 PFAs, you had mentioned, I think there's about 1500 of those
25 that don't have a number identifier that could go into the

1 NICS system. And I think we had talked offline -- and I
2 won't get into the details -- about setting up a process
3 allowing the counties to put that information into the
4 system because then that would help make the rest of the
5 country more safe, too, because right now, we're not sharing
6 that information with the federal government or any other
7 state, and we all know that people don't always live their
8 entire life in this state. Let's say they move to Ohio or
9 West Virginia or Florida or wherever, that information is
10 not readily available. So we are, in fact, by not
11 implementing or uploading that information, making the rest
12 of the country a little less safe from those 1500 people
13 that might have those PFAs against them.

14 LIEUTENANT COLONEL PRICE: It's our
15 understanding, and speaking to the people at NCIC -- the
16 NCIC entry requirements -- and we also explored with NICS,
17 rather than entering those through NCIC, can we put them
18 directly into the NICS index. It has been the information
19 we've received from NCIC and NICS that we cannot upload
20 those, that they simply won't take them because -- and I
21 think the rationale is, at least as it was explained,
22 nationwide if you have John Smith with no date of birth --

23 REPRESENTATIVE ORTITAY: Right. They needed
24 a number identifier.

25 LIEUTENANT COLONEL PRICE: Correct.

1 REPRESENTATIVE ORTITAY: And from what I
2 understood from our conversations with them directly two
3 years ago, they said if we could provide a number identifier
4 or come up with a way to do that -- and since you already
5 partner with the PennDOT database, that it may be easier to
6 do that by looking at their driver's license or having that
7 person in court saying, "Hey, you know, here's our
8 database," in a, you know, confidential setting so that
9 wouldn't be spread out, that that would be eligible to find
10 that number identifier and then we could then upload that
11 information into NICS.

12 LIEUTENANT COLONEL PRICE: Yeah. And again,
13 in the past that has not been something, that would be --
14 PennDOT has ownership of their data.

15 REPRESENTATIVE ORTITAY: Right, right. But
16 it is a process that is possible with the advent of
17 technology that we have today. I mean, that may not have
18 been available in 1998.

19 LIEUTENANT COLONEL PRICE: We would have to
20 look at it. I don't know for certain.

21 REPRESENTATIVE ORTITAY: Okay.

22 Just one last question --

23 MAJORITY CHAIRMAN DUNBAR: Representative,
24 you're going to have to wait for a second.

25 REPRESENTATIVE ORTITAY: All right. Sorry.

1 Thank you, Mr. Chairman.

2 MAJORITY CHAIRMAN DUNBAR: And I do want to
3 caution all the members, the last couple of testimonies just
4 started with some questioning of motives. And I would
5 prefer that all our testimony goes to questions and answers
6 of the PSP who's here before us and not get into what the
7 other side said and what their motives were.

8 I also want to recognize that we've been
9 joined by the majority leader, Brian Cutler.

10 And next will be Representative Sanchez.

11 REPRESENTATIVE SANCHEZ: Thank you, Mr.
12 Chairman.

13 Colonel, up here, (indicating) gentlemen.
14 Thank you all to the command staff for being here. Thank
15 you for making our Commonwealth safer.

16 Colonel, I wanted to thank you for traveling
17 to close by my district, it was actually Representative
18 McCarter's district, this past summer to talk about some
19 anti-hate initiatives at a local synagogue and I truly
20 appreciate that.

21 I wanted to continue on the theme of PICS.
22 And as I understand it, you know, one of the best in the
23 nation, robust systems for background checks. I would only
24 hope, as the State Police indicated this summer, with your
25 support of universal background checks, lost and stolen

1 legislation, and safe storage legislation that, you know,
2 someday this could even be expanded to include even more
3 items like ERPOs, the Extreme Risk Protection Orders, all
4 kinds of items like that.

5 Under the construct of the fee, would it
6 be -- if a universal background check was in fact mandated
7 in Pennsylvania, the PICS system could accommodate this,
8 correct?

9 LIEUTENANT COLONEL PRICE: Yes, sir. We
10 believe so.

11 The problem is we don't know what we don't
12 know. And I'm not being facetious, but we don't know how
13 many long guns are transferred privately. So the estimates
14 that we've come up with are predicated upon, you know, we
15 look at taxable versus nontaxable transactions among
16 handguns because those are numbers that we have. And we
17 presume -- and this is a presumption -- but that nontaxable
18 transactions may be person-to-person transfers. And so when
19 we extrapolate those numbers to long guns, we get a very
20 rough estimate. And it's our belief that, yeah, we can
21 handle, we could handle that extra workload.

22 REPRESENTATIVE SANCHEZ: And if there were
23 even an adjustment in the price, like Representative
24 Schweyer suggested, to cover that, then you could be
25 administratively covered by the increase in the fee, making

1 it basically a self-sustaining system.

2 LIEUTENANT COLONEL PRICE: Certainly. We
3 believe that we could accommodate that.

4 REPRESENTATIVE SANCHEZ: And could you
5 discuss, if you have it at hand, the -- you touched on it
6 briefly at the end of one line of questioning, but the
7 denial statistics. And did any of those -- what I'm
8 specifically interested in, did any of those result in an
9 arrest of someone who should not have had a firearm and was
10 otherwise, you know, sort of out in the public on a warrant?

11 LIEUTENANT COLONEL PRICE: Yeah, so -- well,
12 a couple of things. And I think they're two things, they're
13 bifurcated. When a PICS check is run, if we see in the
14 system that there's a warrant extent for an individual who's
15 attempting to purchase a firearm, we'll immediately dispatch
16 an officer to the location and make an arrest.
17 Historically, those numbers run about 150 per year. And
18 they have them waived. They may be, you know, between 130
19 and 160. But that's a pretty decent estimate.

20 With regard to the denials, again, the
21 denials are bifurcated because we have the denials for
22 purchase, but we also have denials that come in through the
23 sheriffs for license to carry. So, you know, there's two
24 different pots of denials, if you will. Those that are the
25 province of the sheriffs that come in as the license to

1 carry, we don't investigate those. Those that are the
2 province of the sheriff. Those are the denials for the gun
3 purchases, for an attempted gun purchase, we send all of
4 those out for investigation to the entity with jurisdiction
5 where the attempted purchase occurred.

6 And so -- and that difference from NICS, we
7 investigate or refer for investigation all of those. NICS
8 does not.

9 The number of denials in 2019, the exact
10 number was 12,144. That's trifurcated, if you will, to
11 purchase denials, which were 6320, license to carry denials,
12 which were 4807, and evidence return denials, which were
13 1017.

14 REPRESENTATIVE SANCHEZ: Thank you. And
15 thank you for those statistics and please keep up the good
16 work, because this is quite literally our first and last
17 line of defense against the flood of firearms on the street
18 in the hands of those who shouldn't so -- as the law exists
19 today.

20 So thank you.

21 MAJORITY CHAIRMAN DUNBAR: Thank you,
22 Representative.

23 Next will be Representative Hahn.

24 REPRESENTATIVE HAHN: Thank you, Mr.
25 Chairman.

1 Good morning. Over here. (Indicating.)

2 Thank you for being here.

3 I'm switching gears a little bit here, but I
4 was looking at the budget and I see you're proposing an
5 increase of a little over 3.2 million from the state gaming
6 funds to continue operations, which include 11 new
7 positions. What are those new positions for? Is it Bureau
8 of Gaming Enforcement? Is it with the Liquor Code?

9 COLONEL EVANCHICK: I believe it's to open a
10 new casino, I believe.

11 REPRESENTATIVE HAHN: So you need 11 new
12 positions for a new casino?

13 COLONEL EVANCHICK: Yes.

14 LIEUTENANT COLONEL PRICE: Eventually, ma'am,
15 there was no -- when the Cat 4 casinos were established, we
16 believed there were going to be -- there were four licenses.
17 I believe there were five applications. I believe there
18 were four licenses granted. There's no funding stream in
19 that legislation to staff those casinos, but we're going to
20 have to perform enforcement on the gaming floor.

21 I think the long-term plan is tentative at
22 this point. But we believe in order to staff those casinos,
23 it will require potentially five personnel per casino. So
24 some of those costs, I believe, are anticipated -- the
25 anticipatory opening of some of those Cat 4 casinos and

1 incumbent staffing with them.

2 REPRESENTATIVE HAHN: So -- and I just want
3 to make sure I'm clear. So the Gaming Enforcement officers
4 are just on casino floors or just in the casinos, and they
5 don't take care of any other gaming devices. So LCE goes
6 out into the public. They're the ones that go to the clubs
7 and check what's happening; is that correct?

8 LIEUTENANT COLONEL PRICE: Yeah, correct. So
9 our Gaming Control Enforcement folks under Title 4 strictly
10 have authority, they're the only folks that have authority
11 on the gaming floor itself. But their enforcement is under
12 the umbrella of the casinos, of a licensed casino.

13 In terms of the liquor law and licensed
14 liquor establishments, that's our Bureau of Liquor Control
15 Enforcement.

16 REPRESENTATIVE HAHN: How many Liquor Control
17 Enforcement agents are working?

18 LIEUTENANT COLONEL PRICE: I don't have the
19 exact number off the top --

20 COLONEL EVANCHICK: There's 171.

21 REPRESENTATIVE HAHN: And do you know how
22 many clubs and bars you inspect annually, about?

23 COLONEL EVANCHICK: There's more than 18,000
24 active liquor licenses in the Commonwealth.

25 REPRESENTATIVE HAHN: So I'm sure you're

1 aware, but we see these -- there's a lot of illegal gaming
2 going on out across the state. We see these different
3 businesses pop up where they have, some of us think they're
4 illegal machines, some of us don't. But I think that's up
5 to question.

6 So where are you on -- your agents don't go
7 into an establishment unless they have a liquor license, is
8 that correct -- or who monitors these other businesses that
9 are popping up all over?

10 LIEUTENANT COLONEL PRICE: Yeah. That would
11 be our responsibility, but not within, you know, gaming or
12 within Liquor Control Enforcement.

13 Our enforcement last year was somewhat
14 hampered. We were awaiting some court cases. And one of
15 the significant court cases in Commonwealth Court had to do
16 with whether or not the machines that I think you're
17 referring to would be deemed slot machines under Act 4. And
18 if so, then they would have to be regulated, the
19 manufacturers would have to be regulated and so forth.

20 The Commonwealth Court decision was that they
21 are not -- or not that they are not, but that essentially
22 Act 4 applies only within the construct of the casinos and
23 the casino industry. So that then leaves us with a
24 bifurcated problem. We have machines that are in the
25 establishments, the licensed establishments, and that falls

1 within the province of our Liquor Control Enforcement folks
2 to look at those and enforce either the Crimes Code, under
3 5513, illegal gaming devices, or the Liquor Code, depending
4 upon whether those devices contribute significantly to the
5 income of the liquor establishment.

6 So there's two potential routes. But outside
7 those licensed establishments, that's the province of, that
8 would be the province of our, likely our Troop Vice
9 entities. And we're actually in the process now --

10 REPRESENTATIVE HAHN: So I have a bill that's
11 looking to make them illegal so that we can establish -- I
12 mean, I think there's, all of us can agree there are
13 machines out there that we consider illegal machines. So if
14 we make them illegal --

15 And I guess my problem is, you go into the
16 clubs and taverns and they have a liquor license. They get
17 raided, they get machines taken out, they could lose their
18 liquor license. But if you just go into the corner store
19 and there's five or six machines there, nobody is looking at
20 those. Nobody is checking to see what they're doing with
21 them. We see pictures of kids, people taking their kids in,
22 having them on the chair while they're sitting there all day
23 playing these machines. So the State Police could go in and
24 monitor those now or not until they're made illegal?

25 LIEUTENANT COLONEL PRICE: Legislative

1 clarity would make our job much easier in that regard.

2 REPRESENTATIVE HAHN: And you'd support that
3 legislation?

4 LIEUTENANT COLONEL PRICE: We would.

5 And I would correct one other thing, too,
6 though. Those 11 casino positions, actually, they're to
7 staff Philly Live. They will be funded under the gaming --
8 under Act 4. The Cat 4 casinos, we don't yet have the
9 staffing in place for those. So I just wanted to correct
10 what I had said previously.

11 REPRESENTATIVE HAHN: Thank you. My time is
12 up.

13 Thank you, Chairman.

14 MAJORITY CHAIRMAN DUNBAR: Thank you,
15 Representative.

16 Next will be Representative Flynn.

17 REPRESENTATIVE FLYNN: Thank you, Mr.
18 Chairman.

19 Thank you, gentlemen, for being here this
20 morning.

21 Commissioner, I wanted to clarify a few
22 points that one of the previous speakers brought up. It was
23 very interesting to see my colleagues on the right think
24 that the federal government is doing a better job than our
25 state government --

1 MAJORITY CHAIRMAN DUNBAR: Representative,
2 can you ask questions of the PSP, please?

3 REPRESENTATIVE FLYNN: Yeah, I'm getting to
4 my point, Mr. Chairman.

5 The PICS system has mental health checks and
6 PFA checks, correct?

7 LIEUTENANT COLONEL PRICE: Yes, sir. That's
8 correct.

9 MINORITY CHAIRMAN FLYNN: The NICS system has
10 no mental health check and only, not all PFA checks, also,
11 correct?

12 LIEUTENANT COLONEL PRICE: That's not
13 correct. We upload all of our mental health records into
14 NICS. So we have about 800,000 mental health records. NICS
15 does have access to those in their NICS database. They do
16 not have all the PFAs, as I said, because we don't know that
17 there's a conduit to get them there.

18 REPRESENTATIVE FLYNN: So they don't
19 necessarily use that information?

20 LIEUTENANT COLONEL PRICE: No, they use it,
21 yes, for the mental health information.

22 REPRESENTATIVE FLYNN: For the PFAs?

23 LIEUTENANT COLONEL PRICE: The PFAs, they
24 would have access through NCIC. I think there's about 20 to
25 21,000 PFAs. They would have access to the 20,000 that are

1 in NCIC and have demographic information. They would not
2 have access to the 1500 that NCIC entry rules don't allow us
3 to enter.

4 REPRESENTATIVE FLYNN: So what would the
5 difference be between NICS and PICS?

6 LIEUTENANT COLONEL PRICE: Those 1500 PFAs
7 currently, they would not be able to -- if one of those
8 persons who was subject of a PFA was among those 1500 for
9 which there's insufficient identification information, if
10 that individual were to go out-of-state to buy a long gun,
11 which would be legal, the individual could do so because the
12 PFA would not be accessible to NICS.

13 REPRESENTATIVE FLYNN: Okay, very good.
14 Thank you.

15 MAJORITY CHAIRMAN DUNBAR: Thank you,
16 Representative.

17 Next will be Representative Brown.

18 REPRESENTATIVE BROWN: Thank you, Mr.
19 Chairman.

20 Good morning, Commissioner. Thank you,
21 Deputy Commissioners, as well, for being here.

22 I'm sure you're all aware that the
23 Pennsylvania State Police was one of the first uniformed
24 police organizations of its kind in the United States, and
25 we were models for the rest of the states. And so we're

1 very proud of the history of our State Police and always
2 proud of our State Police and what you do. And I understand
3 the ever-changing environment that you are under and the
4 risks that you and your families have to deal with every
5 day, so I thank you. And I'd like to just thank the
6 Blooming Grove Barracks and the Strasburg Barracks that are
7 in my district that do such a great job.

8 And Deputy Commissioner Paris was involved
9 very much at Blooming Grove and did a great job for us, as
10 well, so it's always nice to see you.

11 The current academy that opened its doors in
12 1960, 60 years ago, obviously, with the changing
13 environment, the changing of training that we need for our
14 troopers, the efficiency, everything we need to do to get
15 cadet classes through and get them on the ground and
16 protecting our state. I know through several of the
17 conversations with the troopers and in my world here as a
18 legislator, it has come up that there are a tremendous
19 amount of needs at the academy.

20 What are the capital budget requests that you
21 are looking at for the academy? I would like to try to
22 focus on the academy, and then maybe, if we have time, go to
23 some of the other facilities and the upgrades that you are
24 looking for. But if you can give us a little briefing on
25 your thoughts on what you're looking at for those

1 enhancements and the why, and maybe what you're already
2 currently doing as far as anything with DGS or anything on
3 that level, as well.

4 COLONEL EVANCHICK: Give me one second,
5 please.

6 So as you've said, the State Police Academy
7 at Hershey was built back in 1958 and it opened its doors in
8 1960. I went through there 38 years ago. The same dorm
9 room that I was in has not changed in all those years. In
10 the winter, there was no heat, summer, there was no cooling
11 products.

12 The academy right now, the new portion was
13 built over 20 years ago. So we call that the new portion.
14 It's mostly the administrative end of the building.

15 We are looking, this past year, we looked at
16 trying to come up with a plan to redo the academy. And
17 there was a feasibility study done which came out in 2019.
18 The recommendation was, yes, there was a facility problem
19 here, "you need to redo the whole thing." There was a plan
20 in that feasibility study to do it over a 10-year period.
21 We didn't think that was a very viable thing, because as
22 they got done with the first part of the facility, the rest
23 would have to be redone, as well.

24 So we had sat down last year and we brought
25 in DGS and we had some conversations and looked at redoing

1 the entire academy. One of the problems was we only had
2 about a 30-some-acre piece of property there. So we reached
3 out to the Hershey Trust Fund. We brought them in, we
4 showed them the academy. You know, we've been in the
5 Hershey community for years, back when we had the old
6 academy downtown. So they were very amenable to selling us
7 some land. Right now we're in negotiations with obtaining
8 that land. I believe there's \$5 million earmarked for that
9 purchase, up to \$5 million. We're also looking at the
10 academy itself.

11 I think we're looking at approximately
12 \$180,000 for the academy and \$12 million for our Bureau of
13 Emergency and Special Operation who is comingled up there,
14 as well. We would like to keep all our operations there,
15 make this a training academy campus. And we feel that, you
16 know, there is a need for that.

17 The feasibility study came in much, much
18 higher. It was somewhere around 285 to \$300 million, but
19 we've got it down to a lower figure. We did a lean
20 initiative study after the feasibility study came out, which
21 was two days in the making. They confirmed that there is a
22 need there to increase our, you know, updating, so as to
23 speak. It's beyond updating at this point in time, we need
24 a new facility there to be able to train, you know, the new
25 troopers as they come into our academy.

1 There are other needs that we have. We have
2 the Greensburg Lab. Also, we have a Greensburg headquarters
3 that's being built right now. The completion there is to
4 move in July 1st, 2020, with the old building to be
5 demolished by the end of the summer.

6 Greensburg DNA Lab, we're looking at
7 \$22.5 million for construction. That's scheduled to break
8 ground this spring. There was a water problem which delayed
9 that going on previously.

10 DHQ, our department headquarters, there's a
11 roof elevator wrap and generator for DHQ going on. That is
12 funded. That should be completed sometime by the end of
13 this year.

14 We have Erie headquarters. We're trying
15 to -- I believe we have the land right now available, so we
16 have to move forward there. There are other places that
17 have some needs, as well. We have a Bethlehem Lab that
18 needs to be refurbished. That's looking at 12 to 15 million
19 dollars. A new Erie Lab at 12 to 15 million dollars. A new
20 Reading headquarters projected to be at about 26 million and
21 a new Lancaster headquarters expected to be at \$26 million.

22 We do support the lease-to-own. Right now,
23 we spend about \$20 million a year on leases. At the end of
24 those leases, we have nothing to show for it, other than we
25 spent all this money. We really believe that a lease-to-own

1 would be in our best interest, so we would like to push that
2 forward, as well.

3 REPRESENTATIVE BROWN: Thank you,
4 Commissioner.

5 Thank you, Mr. Chairman.

6 MAJORITY CHAIRMAN DUNBAR: Thank you,
7 Representative.

8 Next will be Representative Gainey.

9 MINORITY CHAIRMAN GAINEY: Good morning.

10 First of all, I want to thank you all for
11 being here. And I also want to thank you for the work
12 you've done across this state. We've had some tragedies,
13 particularly on the turnpike this year. And I think that
14 the way you all have handled it has been excellent. I want
15 to commend you on that.

16 Also I know that you have lost some troopers
17 in 2019. Just want to say that we're with you, we're with
18 the families, because it's all about how we save lives.

19 And in that, I want to ask a question. I
20 want to ask what are we doing to better deal with hate
21 groups in the Commonwealth of Pennsylvania? We know there's
22 been an increase. We know that they're continuing to grow.
23 We know that a lot of it comes out of the training that they
24 received, whether it was military or in law enforcement. So
25 I'm curious to know, what's your take on it and what are you

1 doing to address this issue?

2 LIEUTENANT COLONEL PRICE: Thanks, sir.

3 So, of course, I think you're familiar with
4 our Heritage Affairs Office. And it's, again, it's an
5 approach where we have Heritage Affairs and we have the
6 Bureau of Criminal Investigation, both who are looking at
7 this particular issue. So within our Bureau of Criminal
8 Investigation, our analytical intelligence section, that's
9 primarily where we look at crimes committed by hate groups.

10 You know, recently there was a spate of
11 anti-Semitic crimes and we saw them occurring in New York.
12 And there was, right around the holidays, right around
13 Hanukkah, there were a number of crimes. So within our
14 analytical intel section, the strong partnerships that we
15 have with our neighboring agencies allow us to develop
16 information and to disseminate information. We actually
17 have a trooper assigned on a rotating basis to the New York
18 City NYPD intelligence function --

19 MINORITY CHAIRMAN GAINNEY: But with the
20 increase in PA, have you been able to identify any of these
21 groups in the Commonwealth of Pennsylvania?

22 LIEUTENANT COLONEL PRICE: Yes, absolutely.
23 There are groups here operating.

24 And the dynamics of some of these groups,
25 when you look at some of the things, some of the work the

1 Anti-defamation League does papering and putting out fliers,
2 there's an increase in that sort of activity to sort of
3 foment this hatred.

4 And so working, again, with Philadelphia PD,
5 they have their Hate Crimes Unit, it's largely an
6 intelligence gathering function to try to determine what's
7 happening on the ground and then, is it actionable, and
8 sometimes that's difficult to --

9 MINORITY CHAIRMAN GAINNEY: In working with
10 some of these other agencies, have you been able to
11 dismantle any of the groups?

12 LIEUTENANT COLONEL PRICE: Yes.

13 MINORITY CHAIRMAN GAINNEY: So some have been
14 dismantled?

15 LIEUTENANT COLONEL PRICE: We have had
16 successful investigations that I really can't speak to.

17 MINORITY CHAIRMAN GAINNEY: I understand. But
18 you're saying that some have been dismantled?

19 LIEUTENANT COLONEL PRICE: Disrupted. I
20 don't know that we've dismantled because, you know, a lot of
21 groups exist, but we have disrupted activity.

22 MINORITY CHAIRMAN GAINNEY: Have there been
23 arrests made?

24 LIEUTENANT COLONEL PRICE: Yes.

25 MINORITY CHAIRMAN GAINNEY: And we talked

1 about an increase in minority applicants. Have the
2 applicants actually -- has it actually been talked about, in
3 regards to African-American, Latinos, and other minorities,
4 how many have actually been hired by the state troopers?
5 Not percentage-wise, just the complement that you have
6 hired, not the applications that came in. My question is
7 how many African-American and Latinos and other ethnic
8 groups have been hired by number?

9 MAJOR PARIS: We graduated three cadet
10 classes within the last year. The 157th class had 104
11 cadets, including seven females and 15 minorities. The
12 158th class graduated September 30th --

13 MINORITY CHAIRMAN GAINNEY: But when we talk
14 about minorities, what are we talking about? What is the
15 breakdown?

16 MAJOR PARIS: I can get you that.

17 MINORITY CHAIRMAN GAINNEY: Yeah. I'd like to
18 see the breakdown of that. And in regards to the increase
19 in women, I'd also like to see how many was African-American
20 women. Because I know sometimes with all this, everything
21 is lumped into one pile, I mean, in one big group, but I'd
22 like for you to break it out so we have an understanding.

23 MAJOR PARIS: Well, I can tell you that
24 minority males, currently, we have 296.

25 MINORITY CHAIRMAN GAINNEY: Is that an

1 increase from last year?

2 MAJOR PARIS: Yes. We had over 288 last
3 year, and we have 294 females and then we have an additional
4 28 minority females.

5 MINORITY CHAIRMAN GAINNEY: The amount of --

6 MAJOR PARIS: Up front 277 and 27.

7 MINORITY CHAIRMAN GAINNEY: Okay. In regards
8 to the amount of racial profiling and that other part that
9 you talked about earlier, how many -- I think you said there
10 was like 618 or something like that?

11 MAJOR PARIS: No, sir.

12 MINORITY CHAIRMAN GAINNEY: Incidents -- I'm
13 sorry; go ahead.

14 MAJOR PARIS: No. For 2019, we had 12
15 bias-based complaints.

16 MINORITY CHAIRMAN GAINNEY: Complaints. And
17 how many turned into, that the complaints were actual?

18 MAJOR PARIS: There was one sustained, but in
19 that specific case, my research as of this morning was that
20 it was not sustained for the biased part of the allegation.
21 There was ancillary conduct that came to light during that
22 investigation that was sustained.

23 MINORITY CHAIRMAN GAINNEY: So out of 12,
24 there was only one?

25 MAJOR PARIS: Correct, one sustained.

1 Chairman.

2 Thank you all for being here to answer all
3 the questions. Yes, we keep switching sides on you, sorry.

4 The questions that I have deal with some of
5 the contracts that you have that have been out there.
6 They've -- some of them have been out there a while and some
7 are more recent.

8 The one that I wanted to talk about is a
9 change that you guys are all making in procurement last year
10 dealing with dash cams, as well as body cameras, as well as
11 the cameras within the cars, as well. And I know we need
12 that to be updated to protect our troopers, to make sure
13 that they have all the documentation that they may need in
14 order to make good arrests and keep everybody safe.

15 My issue is -- or my question comes to the
16 fact that, I understand that we purchased the car computers.
17 I saw a contract that was let out that was for \$478,000 to
18 purchase those. But nothing else has moved ahead with that
19 system and making an entire system. So my question is, when
20 will that happen? And are we looking for a vendor to do all
21 of it or will there be separate vendors?

22 My concern is, obviously -- and my last
23 question, it deals with where we are with the radio system,
24 but we've dealt with that for 20 years, because nothing
25 could talk to either other. If we go down this technology

1 rabbit hole again without having systems that talk to each
2 other, I don't want it to be the same.

3 So can you tell me, you know, when are we
4 doing that contract and will it be all one vendor or will
5 you plan on doing a number of vendors?

6 MAJOR GRAY: Ma'am, thank you for that
7 question. We did originally try to procure an ecosystem --

8 REPRESENTATIVE DELOZIER: Sorry, can't hear
9 you. That's all.

10 MAJOR GRAY: We did attempt to procure an
11 ecosystem where the actual mobile office, the MVR, and the
12 body cams were purchased so that there was an
13 interoperability between the three of them. And we didn't
14 have a sufficient amount of funding to go through that
15 procurement so that we could get all three of them. And
16 what we had to do --

17 REPRESENTATIVE DELOZIER: What was the
18 estimate? What was the funding that would have been
19 necessary in order to do all of that together, that you did
20 not have?

21 COLONEL EVANCHICK: That would have been
22 about 19 million estimated to start for the first year.

23 REPRESENTATIVE DELOZIER: Okay. And so you
24 just went out and did the procurement for the half a million
25 basically, for the 478 for the computers in the car; is that

1 correct?

2 MAJOR GRAY: Yes, yeah.

3 REPRESENTATIVE DELOZIER: So when do you plan
4 on going out for the rest?

5 MAJOR GRAY: Well, we had to get an emergency
6 procurement for the mobile offices, and that was due to
7 Windows 7 becoming obsolete in January. We obtained that
8 procurement and they're going to start rolling out the new
9 Toughbooks, the Panasonic Toughbooks, for the mobile offices
10 within the next few months.

11 REPRESENTATIVE DELOZIER: And the body cams
12 and the cameras in the cars?

13 MAJOR GRAY: No, no. We had to separate the
14 emergency procurement order for the mobile offices due to
15 that issue.

16 REPRESENTATIVE DELOZIER: Okay.

17 MAJOR GRAY: So that the troopers were able
18 to still utilize the mobile offices in the car.

19 REPRESENTATIVE DELOZIER: Okay. And so what
20 is your timetable for doing the other two pieces?

21 MAJOR GRAY: The mobile video recorders will
22 be the next thing that -- right now, they're kind of on
23 their last leg also. And as they break, we're upgrading
24 those, but we fully intend on getting a procurement to
25 replace the MVRs next.

1 REPRESENTATIVE DELOZIER: And when you say
2 "next," do you mean within the next six months, do you mean
3 the next six years?

4 MAJOR GRAY: We're hoping to get an RFP out
5 this year. Yes.

6 REPRESENTATIVE DELOZIER: Okay. And that
7 money -- I don't see a line item in the budget for that.
8 Where is that money coming from?

9 MAJOR GRAY: I don't know.

10 COLONEL EVANCHICK: That is not in the
11 budget. There are a lot of things that are unbudgeted at
12 this point in time -- safety equipment, vests, ballistic
13 helmets, those types of things. They're not included in the
14 budget at this point in time. So we will have to look where
15 we can get our funding from within internally to pay for
16 some of those issues.

17 Originally, the RFP for the ecosystem did go
18 over to DGS. However, in the meantime, it wasn't moved on
19 right away and that was no fault of anyone. However,
20 because Microsoft 7 was going offline basically, there would
21 be no more support for that. Our computer Toughbooks that
22 were in the cars needed to be upgraded to continue to run
23 that system. And that's why they were bought, you know,
24 through the emergency bidding process there basically, to
25 keep them. It was a plug and play type thing, they took the

1 old ones out, they put the new ones in, so there was a cost
2 savings there, as well.

3 REPRESENTATIVE DELOZIER: Okay. And we want
4 the troopers to have the most up-to-date information.
5 Obviously, we need it to be supported. My concern -- I'm
6 just trying to follow the math problem, and if you're moving
7 to the issue.

8 Before my light turns red, I just want to
9 throw out, usually we ask Major Stackhouse, who's not here
10 today, but can someone please give me an update as to where
11 we stand with the radio system and where we see that going?

12 MAJOR GRAY: The radio system is doing very
13 well. Major Stackhouse and her administrative staff have
14 done an exceptional job to this point with it.

15 We just recently -- an Auditor General report
16 just found that the system was on budget and on time in
17 regards to, you know --

18 REPRESENTATIVE DELOZIER: Twenty-year budget?

19 MAJOR GRAY: Yeah, the P25 system, ma'am.

20 REPRESENTATIVE DELOZIER: Okay.

21 MAJOR GRAY: In the initial 44 and a half
22 million dollars that was, you know, given for the actual
23 radio system, you know, we're falling within the parameters
24 of that. We haven't exceeded any expenditures.

25 REPRESENTATIVE DELOZIER: Okay. Thank you

1 very much.

2 COLONEL EVANCHICK: And we're about -- excuse
3 me -- we're about 70 percent completed so far, expect to be
4 there at the end of the year or so.

5 REPRESENTATIVE DELOZIER: With the money
6 that's used at 70 percent, we will only be 70 percent once
7 we've used all of the 44 --

8 COLONEL EVANCHICK: No. We'll be 70 percent
9 completed by the end of the fiscal year, having 53 counties
10 on the new radio system.

11 REPRESENTATIVE DELOZIER: Okay. Thank you
12 very much. I see my light time is up.

13 MAJORITY CHAIRMAN DUNBAR: Thank you,
14 Representative.

15 Next will be Representative Donatucci.

16 REPRESENTATIVE DONATUCCI: Thank you, Mr.
17 Chairman.

18 And thank you, gentlemen, for being here.

19 A few years ago, there was legislation passed
20 addressing the stop-and-go issues in Philadelphia.

21 Can you update us as to whether that resulted
22 in an increase in citations, to closing down of
23 establishments, or any other actions taken by the PSP?

24 LIEUTENANT COLONEL PRICE: I'm trying to get
25 you some numbers, actually.

1 COLONEL EVANCHICK: BLCE continues to work
2 collaboratively with the PLCB, as well, conducting those
3 stop-and-go violations. In 2019, we participated in 62
4 checks in Philadelphia. And in the prior year, 2018, we
5 participated in 86 checks of those establishments in
6 Philadelphia.

7 2019, we had 71 violations in R licenses and
8 two in E licenses. And in the prior year, we had 113
9 violations in R licenses and 18 in E licenses. We've been
10 successful in prosecution, in these prosecutions, even on
11 appeals to the Commonwealth Court. So we believe we're
12 showing some benefit and some change for the better in some
13 of these stop-and-go violations.

14 REPRESENTATIVE DONATUCCI: Thank you. That's
15 good to hear because it's been an ongoing problem for years.
16 I know last week we had a big meeting in Philadelphia still
17 addressing these issues and what we can do to make it easier
18 to prosecute and to close down some of these bad
19 establishments. So thank you.

20 COLONEL EVANCHICK: We continue to work with
21 the Philadelphia PD, as well as the city health inspectors.

22 About a year and a half ago, I actually went
23 down to Philadelphia and toured some of these establishments
24 to see firsthand what was going on there. And I'm really
25 pushing to make sure we continue our enforcement efforts

1 there.

2 REPRESENTATIVE DONATUCCI: Do you think it
3 would be a help if locals could also write the violations
4 that the state writes?

5 COLONEL EVANCHICK: I don't know actually
6 what type of violations they write, the local police, but
7 that could help if there's something that we're not missing.
8 And we need to work in a collaborative manner there.

9 REPRESENTATIVE DONATUCCI: Okay. Thank you.
10 Thank you, Mr. Chairman.

11 MAJORITY CHAIRMAN DUNBAR: Thank you,
12 Representative.

13 Next will be Representative Owlett.

14 REPRESENTATIVE OWLETT: Thank you for your
15 time.

16 And thank you, Mr. Chairman.

17 And I just want to thank you also for the
18 service that you provide our communities. We saw that in
19 Mansfield this past year. You guys really responded so well
20 there in Nelson, and I really appreciate that.

21 I wanted to talk a little bit -- last year we
22 talked briefly about creating an accelerated class for those
23 that have already completed Act 120. Mansfield University
24 has an unbelievable Act 120 program, they're integrating
25 virtual reality. I know the State Police are utilizing that

1 for some of their training opportunities.

2 I would love to know if there's any update on
3 that. We do a great job at creating silos in Pennsylvania
4 and sometimes in rural communities that can be a challenge,
5 especially with radio connection and stuff.

6 But I'm just curious, has there been any more
7 conversations about creating an accelerated class for those
8 that have already completed Act 120, so maybe we could do an
9 additional class every year and get more troopers out
10 protecting the citizens of the Commonwealth?

11 LIEUTENANT COLONEL PRICE: Yes, sir. It's
12 still in the exploratory phase. We actually saw a study
13 come back about three weeks ago from our Bureau of Talent
14 Management. They were serving a recent graduating cadet
15 class to determine how many had Act 120, you know. And what
16 we're looking at, and I think what you're talking about, is
17 the Delaware model.

18 So Delaware State Police do something
19 similar. They have a transitional class for folks that --
20 Delaware is a little bit different because their State
21 Police train most all municipalities within the state of
22 Delaware. Wilmington and New Castle County have their own
23 academies, I believe, but DSP does the majority of the
24 training, so there's some commonality. They know exactly --
25 but we have actually engaged in discussions with Delaware as

1 to how they facilitate that. We've done some initial
2 surveys to look at the number of Act 120 graduates that they
3 have coming into the academy. And quite honestly, it's an
4 ongoing discussion to look at the potential -- is there a
5 potential to create an accelerated class that, you know,
6 wouldn't focus on the nuts and bolts of policing, but you
7 know, the PSP policy, procedures, rules, regulations, and
8 culture.

9 REPRESENTATIVE OWLETT: Do we have any idea
10 when that study could be complete? We asked the same
11 question last year, so I'm just curious if that's something
12 we could see moving on next year and potentially save the
13 Commonwealth some money and get more folks out on the
14 streets.

15 LIEUTENANT COLONEL PRICE: Yeah. I mean, I
16 think it would. We have the data to look at it. I think
17 ultimately we get the data to the Colonel and some
18 recommendations and it's certainly something we can move on.

19 One of the problems, though, with this is our
20 academy has been essentially at full capacity -- and this
21 goes back to one of the previous Representative's questions.
22 We've been at full capacity. We can house potentially about
23 200 people in the academy. Now, sometimes we get slightly
24 more than that initially when we start classes of 120 and
25 then we have some attrition.

1 But realistically, because we are getting
2 closer to complement, I think this is potentially an
3 opportune time to look at that potentiality. Previously,
4 when we were five or six hundred vacancies, we simply
5 didn't -- we wouldn't have had the facilities to look at
6 anything because we were trying to push as many classes
7 through as possible to get us closer to complement. As we
8 are fortunately getting closer to complement, I think that's
9 the time the discussion becoming ripe.

10 REPRESENTATIVE OWLETT: Well, I'd appreciate
11 it if you'd continue to look at that. I did want to talk
12 about the chargeback in the fee or tax or whatever we want
13 to call it. I do have some concerns about that.

14 I looked at the median household income for
15 my counties -- and I mean, we're talking a fair amount of
16 money. I get calls every day from folks that are --
17 especially senior citizens that really, I mean, they're
18 trying to make a decision whether they are going to stay in
19 their home or pay their property tax. And to add one more
20 fee, tax, whatever you want to call it, is a big ask and
21 it's a big concern for me. So I do have some concerns about
22 that.

23 We're going to be diving into this report a
24 little bit more and continuing to look at that.

25 So thank you for your time today.

1 LIEUTENANT COLONEL PRICE: And, sir, just a
2 point of clarity, and we should clarify it so we know what
3 numbers we're talking about, I think the title in the model
4 is headed "median income." That actually came from the
5 State Data Center. We clarified that, that's total
6 household income for individuals living in the household
7 over age 15, and it does include retirement income. So when
8 we looked at those numbers, they seemed to be high to be
9 medians. They are, in fact, not medians; they are total
10 household income. So as you engage in discussions, I just
11 wanted to make that clear.

12 MAJORITY CHAIRMAN DUNBAR: I'm sorry. I had
13 a brief follow-up on the chargeback, as well.

14 Out of curiosity, I had heard you mention
15 about that, you know, Philadelphia would even get charged a
16 million dollars. But how many -- what municipality and/or
17 city has the most calls that PSP has to go to? Is there a
18 list like that?

19 LIEUTENANT COLONEL PRICE: The model is
20 predicated, sir, on station staffing. That's why we broke
21 it out at the station level. So when we staff our
22 stations -- we're on the cusp of two different records
23 management systems, so we have a data quality issue when you
24 transition between systems -- but our stations are staffed
25 predicated upon calls for service. And so because our

1 station costs are largely reflective of the staffing costs
2 of the station, by basing the model on the station staffing
3 costs, you end up indirectly incorporating incidents, type
4 and, you know, the number. In order to say what station has
5 the most number of incidents, it's really not meaningful
6 because, to us, it depends upon the number and the type of
7 incident and how long an incident takes to respond to.

8 So to give you a number, I don't know what
9 station responds to the most raw incidents.

10 MAJORITY CHAIRMAN DUNBAR: And what -- you
11 know what I'm trying to get at is those that use the most --
12 are they getting charged the most? And since we're not
13 looking at actual calls into each municipality, you're
14 saying that by using the station aspect you're incorporating
15 that into the calculation.

16 LIEUTENANT COLONEL PRICE: Yes, sir. That
17 was the premise.

18 MAJORITY CHAIRMAN DUNBAR: Okay. Thank you.

19 Next welcome Chairman Sainato.

20 REPRESENTATIVE SAINATO: Thank you, Mr.
21 Chairman.

22 Gentlemen, thank you for your service to this
23 state. I know that our committee has always had a pleasure
24 working with your people, but we have to deal with the
25 disasters that happen in Pennsylvania. And so far we've had

1 a nice winter and I think that's -- you know, hopefully, it
2 stays that way.

3 On your complement -- I know it's been eluded
4 to today -- but could you just get a little bit into that?
5 It seemed like you've come a long way. Because I remember
6 before when you guys were really down, you know, through
7 retirements and everything, where are we at with this right
8 now? How close are you? I know you said you're getting
9 there, but how close are you to --

10 COLONEL EVANCHICK: Our complement right now
11 is 4719. That's what we're allowed to have. That includes,
12 you know, the ancillary things for gaming, turnpike, and all
13 those. That brings us up to 4719. Right now we have about
14 254 vacancies and we have about 200 cadets in the academy.
15 I mean, if you look at probably the last 10 years or so,
16 we're probably the closest to our complement level that
17 we've ever been.

18 REPRESENTATIVE SAINATO: Now, how many
19 actually go to the academy class?

20 COLONEL EVANCHICK: We usually start with a
21 class of about 120 and graduate around 98 to 100.

22 REPRESENTATIVE SAINATO: And how long does it
23 take to go through the class?

24 COLONEL EVANCHICK: Right now it's at 28
25 weeks; however, we're doing a study to see if we can shorten

1 that amount of time. We may be able to get that down to 25
2 to 24 weeks.

3 REPRESENTATIVE SAINATO: Okay. Now, that's
4 great because I know that's always been an issue for you and
5 it's nice to hear that we're getting closer because I know
6 it's not an easy thing to do.

7 In getting back to what they were saying, you
8 know, about the areas that do not have police protection,
9 and when you're talking 4700 throughout the state of
10 Pennsylvania, how can you and your department actually go in
11 and take care of all of the needs of these communities?

12 COLONEL EVANCHICK: Currently, there is a
13 Legislative Budget and Finance Committee that should be
14 coming out here shortly to discuss the complement of the
15 State Police. The last time one was done, you know, it was
16 probably 20 years ago or so. And as a result of that, there
17 was an increase in the amount of troopers available. And
18 eventually they were funded.

19 So that is a lot of service area to cover.
20 There's still some counties where we have, you know, on the
21 midnight shift, one car out there with two members in it.
22 So there is a lot of ground to cover. We have technology
23 advances, though, that help us to be able to do some of that
24 stuff.

25 REPRESENTATIVE SAINATO: In my district, I'm

1 pretty much covered with local police and I have a barracks
2 in my district, and they complement each other and they work
3 well together. But my local police are able to do things
4 that you can't just because you don't have the numbers. I
5 mean, a little vandalism issue or some of those type of
6 things, they could be there in five minutes. It's kind of
7 hard for the State Police to be able to go out there and
8 deal with some of those type of issues. I mean, you have
9 your plate full to begin with, besides having to deal with
10 some of the other issues.

11 I'm just saying I think there's a role for
12 both in Pennsylvania. And I'm fortunate, with my district,
13 that I think I'm covered almost 100 percent with local, and
14 I have a barracks, too, so...

15 But I just wanted to throw that out there.
16 It's just like, with your complement, you can't do
17 everything. I mean, it's impossible for your numbers to be
18 able to solve everything out there.

19 So just once again, thank you for your
20 service to our Commonwealth.

21 Thank you, Mr. Chairman.

22 MAJORITY CHAIRMAN DUNBAR: Thank you,
23 Chairman.

24 Next will be Representative Topper.

25 REPRESENTATIVE TOPPER: Good after -- well,

1 we're still morning, I guess, for another few minutes,
2 gentlemen. Thank you so much for your service and for what
3 you're offering today. I'm going to actually continue to
4 piggyback off Chairman Sainato's question.

5 The budget includes about 13 million for
6 trooper replacement initiative, which I think funds -- is
7 that four new cadet classes, you're hoping to run through
8 2021?

9 COLONEL EVANCHICK: Yes, sir.

10 REPRESENTATIVE TOPPER: So each one of those
11 classes, from the numbers you just gave, you hope to get
12 around 100 troopers, new troopers, out into the field?

13 COLONEL EVANCHICK: Well, we'll have to look
14 at where we're at with our complement cap at 4719. If we
15 start coming close to that number, we may have to cut back
16 on the amount in the class.

17 The projected class for May, we're possibly
18 looking at 60 at this point in time.

19 REPRESENTATIVE TOPPER: So that, the number,
20 the 12.965 million, what is that based on in terms of
21 numbers? Does it affect it or is a class the same cost
22 regardless of whether you have 120 to 160; does it matter?

23 LIEUTENANT COLONEL PRICE: Yeah, it varies,
24 because obviously in the academy, we're paying salaries and
25 benefits. So the costs do transition.

1 We project it out. I think, normally -- our
2 attrition the past few years has been higher
3 than historically we would have expected.

4 REPRESENTATIVE TOPPER: More retirements, in
5 other words?

6 LIEUTENANT COLONEL PRICE: Because of more
7 retirements.

8 So as we start to see that spike ameliorate,
9 we projected the budget out to include, looking at an
10 attrition of about 170 to 200 people annually. And so that
11 was predicated upon the number of folks we'd have to put
12 into academy classes to hover around that complement number.

13 REPRESENTATIVE TOPPER: So 170 to 200
14 retirements is what we're looking at for this year?

15 LIEUTENANT COLONEL PRICE: Projected for the
16 next fiscal year, yes.

17 REPRESENTATIVE TOPPER: For the next fiscal
18 year.

19 And so that was basically one of my questions
20 because that's what we're anticipating. And I just wanted
21 to make sure that our numbers were matching up to what we
22 anticipated, both in what we're losing and then hopefully
23 what we'll be gaining.

24 COLONEL EVANCHICK: Yes, sir.

25 REPRESENTATIVE TOPPER: Thank you.

1 Thank you, Mr. Chairman.

2 MAJORITY CHAIRMAN DUNBAR: Thank you.

3 Next will be Representative Lawrence.

4 REPRESENTATIVE LAWRENCE: Thank you, Mr.
5 Chairman.

6 And thank you, gentlemen, for being here
7 today. And I certainly appreciate your service to the
8 Commonwealth and your willingness to be here today and
9 testify.

10 I'd like to talk a little bit about just
11 funding in general for the police, for the Pennsylvania
12 State Police. So there's a large state trooper presence at
13 Philadelphia Eagles home games. What do the Eagles pay for
14 that security presence?

15 COLONEL EVANCHICK: I don't have an actual
16 breakdown just for that particular entity, but we do have
17 unreimbursed things that we do, as well as reimbursed.

18 In 2019, we had basically 111,394 events and
19 things that we attended to that were unreimbursed.

20 REPRESENTATIVE LAWRENCE: 111,000?

21 COLONEL EVANCHICK: Yes.

22 REPRESENTATIVE LAWRENCE: Now, I would assume
23 that might include everything from a Penn State football
24 game to something where one officer shows up, am I correct?
25 Is that -- or is that -- are we talking about 111,000

1 football games, rock concerts, and that kind of thing?

2 COLONEL EVANCHICK: These are all types of
3 different things Pittsburgh protests, Little League Classic
4 baseball games, different other entities.

5 Conversely, we had last year, 2019, we had
6 \$1.5 million of these types of events that were reimbursed
7 to us, as well.

8 REPRESENTATIVE LAWRENCE: 1.5 million?

9 COLONEL EVANCHICK: Yes, reimbursed.

10 REPRESENTATIVE LAWRENCE: That's it?

11 COLONEL EVANCHICK: Yes. And that includes
12 like Penn State football games, Lincoln Financial Field
13 services down in Philadelphia, as well.

14 REPRESENTATIVE LAWRENCE: So -- I mean, do
15 the Eagles pay anything?

16 COLONEL EVANCHICK: Yes, they do. I would
17 have to calculate these all out, but we do get reimbursement
18 for, like I said, for Lincoln Financial Field, for various
19 games, including Temple plays there, as well.

20 REPRESENTATIVE LAWRENCE: Right. What's the
21 total of Lincoln Financial Field?

22 COLONEL EVANCHICK: I don't have that broken
23 down just for the --

24 REPRESENTATIVE LAWRENCE: But you said the
25 total for everything was one and a half million dollars?

1 COLONEL EVANCHICK: The total for everything
2 last year, we received \$1,595,406.

3 REPRESENTATIVE LAWRENCE: So when I think
4 about -- so looking at the breakdown that the Governor has
5 proposed -- all right, Franklin Township where I've lived
6 for 30 years in Chester County, with a population of 4500
7 people, is being asked to pay -- which has no local police
8 coverage -- is being asked to pay a half a million dollars.
9 That's one township.

10 I look at Montgomery County, Skippack
11 Township, which has three times as many people and a higher
12 median income, is being asked to pay \$100,000. So \$117 per
13 person in Franklin Township, \$9 per person in Skipback
14 Township. My understanding is that's based off of
15 differences in station staffing between Chester and
16 Montgomery County. And I understand that the Eagles, Penn
17 State, the Steelers, rock concerts, and everything else
18 across the Commonwealth paid a total of 1.5 million, or
19 three times the amount, that Franklin Township is being
20 asked to pay under the proposed Governor's plan. Am I
21 correct?

22 COLONEL EVANCHICK: That's correct.

23 REPRESENTATIVE LAWRENCE: All right.

24 So -- well, you mentioned Delaware earlier.
25 I don't go to the movies too often, I don't have time and,

1 you know -- but I did go to see the recent Star Wars movie.
2 I wanted to see that. So we went down to the Christiana
3 Mall in Delaware. And inside the movie theater, there was a
4 Delaware State Trooper car outside the movie theater and
5 there were two cops inside the movie theater, and the movie
6 theater pays for that.

7 Does the Pennsylvania State Police have a
8 similar program?

9 COLONEL EVANCHICK: Excuse me, could you
10 repeat that, please?

11 REPRESENTATIVE LAWRENCE: Does the
12 Pennsylvania State Police have a similar program where a
13 movie theater or the Apple Store at the mall could hire an
14 off-duty state trooper, Pennsylvania State Trooper?

15 COLONEL EVANCHICK: No, we do not.

16 REPRESENTATIVE LAWRENCE: Okay.

17 So in Delaware, private businesses, they can
18 pay for off-duty police officers. Here in Pennsylvania,
19 where apparently the taxpayers are subsidizing free police
20 service, or next to free, for large institutions that should
21 be paying -- I think should be paying. And then they're
22 asking Franklin Township, which has almost -- I don't know
23 what the number of police calls in Franklin Township were
24 last year in Chester County -- we should find out -- but I
25 would assume it's very, very few.

1 Let me ask this: The troopers that are
2 covering the Eagles games, are they being paid overtime to
3 be there or is that part of their regularly assigned shifts?

4 COLONEL EVANCHICK: They're there on an
5 overtime status.

6 REPRESENTATIVE LAWRENCE: So we're paying --
7 the Eagles are getting free coverage with overtime State
8 Police -- this is something we need to look at. I'm not
9 trying to roast you guys. This is something we need to look
10 at.

11 We're looting, looting the Motor License Fund
12 \$750 million a year to pay for the State Police. That's
13 money that should be going to fix roads and bridges, while
14 the Eagles, Steelers, Penn State, the Farm Show, and
15 everything else is getting a free ride on behalf of
16 Pennsylvania taxpayer for State Police coverage. We need to
17 take a look, a serious look at that.

18 COLONEL EVANCHICK: That's not exactly true.
19 I mean, I told you we do get money back from Lincoln
20 Financial Field, from the Steelers -- or excuse me, from the
21 Eagles, as well.

22 REPRESENTATIVE LAWRENCE: One and a half
23 million dollars total a year?

24 COLONEL EVANCHICK: That's correct.

25 REPRESENTATIVE LAWRENCE: And it should be

1 \$1.5 million a game.

2 COLONEL EVANCHICK: That depends on what
3 assets we have there, though. If we send a team of 10
4 horses or whatever, that's all that we have there, that's
5 all that we bill for.

6 REPRESENTATIVE LAWRENCE: Okay. Thank you.
7 My time is up, but again, I appreciate it,
8 gentlemen. Thank you.

9 MAJORITY CHAIRMAN DUNBAR: Thank you,
10 Representative.

11 Go Steelers.

12 Next is Representative Rothman.

13 REPRESENTATIVE ROTHMAN: Thank you,
14 gentlemen. And thank you for your service to the
15 Commonwealth.

16 I'm going to get in the mix of NICS and PICS.
17 Medical marijuana, according to the
18 Department of Health, over 100,000 medical marijuana cards
19 have been issued as of last year. According to federal law,
20 the use of medical marijuana disqualifies or makes the
21 possession of firearms and the attempt to purchase firearms
22 illegal.

23 Are you uploading medical marijuana card
24 information from the Department of Health into PICS? And
25 how are you handling that?

1 LIEUTENANT COLONEL PRICE: No, we are not.
2 No, we don't have access to the Department of Health
3 database for that purpose.

4 REPRESENTATIVE ROTHMAN: You have mental
5 health, you have access to mental health records, though?

6 LIEUTENANT COLONEL PRICE: Yeah. Mental
7 health records are submitted to us by the counties. That's
8 correct.

9 REPRESENTATIVE ROTHMAN: Why don't you have
10 the medical marijuana information?

11 LIEUTENANT COLONEL PRICE: That's the
12 province of the Department of Health. They would have to
13 give us access to that information.

14 REPRESENTATIVE ROTHMAN: Do you agree it's an
15 offense to own or attempt to purchase firearms having a
16 medical marijuana card?

17 LIEUTENANT COLONEL PRICE: It's a federal
18 prohibiter.

19 REPRESENTATIVE ROTHMAN: And also under state
20 and federal law, the possession of firearms would also be an
21 offense?

22 LIEUTENANT COLONEL PRICE: That's correct.
23 Not under state, but under federal law.

24 REPRESENTATIVE ROTHMAN: Federal. And also,
25 federal law says that if you do become a user of marijuana,

1 you have to, within a reasonable amount of time, not to
2 exceed 60 days, dispose of your firearms?

3 LIEUTENANT COLONEL PRICE: There's a
4 one-year -- unlawful drug user index is a one-year
5 prohibition from the time of the inference of the use.

6 REPRESENTATIVE ROTHMAN: So is there any
7 contemplating any way of integrating the medical marijuana
8 cards with the PICS system? Do you have any request to do
9 that?

10 LIEUTENANT COLONEL PRICE: I think that would
11 be the province of the Department of Health to give us
12 access.

13 REPRESENTATIVE ROTHMAN: But if they don't,
14 it does not mean that the people who are attempting to
15 purchase the firearms are not in violation of federal law.

16 LIEUTENANT COLONEL PRICE: Correct. The
17 4473, which is the federal form, was changed to reflect the
18 medical marijuana prohibition. So I forget which number
19 question it is on the 4473. It actually -- it has to do
20 with drug use. And it actually parenthetically indicates,
21 that, you know, the use of medical marijuana or the
22 possession of a medical marijuana card does not ameliorate
23 the prohibition.

24 REPRESENTATIVE ROTHMAN: That's right. In
25 fact, it says it's still an unlawful use of a controlled

1 substance.

2 LIEUTENANT COLONEL PRICE: Correct.

3 REPRESENTATIVE ROTHMAN: I'm a little
4 concerned that there hasn't been integration, and if there's
5 a lot of discussion about PICS, why we're not including the
6 medical marijuana cards into the PICS system.

7 LIEUTENANT COLONEL PRICE: Simply the
8 Department of Health would have to agree to give us access.

9 REPRESENTATIVE ROTHMAN: But it is the
10 Department -- just to clarify -- it's the Department of
11 Health that's giving you the mental health information?

12 LIEUTENANT COLONEL PRICE: No, no. The
13 mental health, they come to us via an Act 77 form. The
14 County Administrator or the County Mental Health
15 Administrator's responsible to collect that data. And they
16 submit it on an Act 77 form to us, either electronically or
17 via a web app.

18 So there's no single database for mental
19 health information in the Commonwealth, but for PICS. And
20 so that comes directly -- each county is responsible to
21 submit their own data.

22 REPRESENTATIVE ROTHMAN: And so I can assume
23 the Pennsylvania State Police haven't notified the 100,000
24 medical marijuana cardholders that they're not, they are
25 prohibited from owning or possessing or purchasing firearms?

1 LIEUTENANT COLONEL PRICE: That's correct.
2 We don't know who they are.

3 REPRESENTATIVE ROTHMAN: Thank you. And
4 thank you for your service.

5 MAJORITY CHAIRMAN DUNBAR: Thank you,
6 Representative.

7 Next will be Representative Heffley.

8 REPRESENTATIVE HEFFLEY: Thank you for coming
9 here today.

10 I just want to commend the Pennsylvania State
11 Police and all the troopers out there that do a fine job
12 across this Commonwealth. Sometimes I think people tend to
13 forget the dangers of the job, when you pull over somebody
14 along the road and you don't know what you're going to walk
15 up to when you knock on the window or talk to that person,
16 or when somebody is in distress and you help them out.

17 As a regular driver down the interstates and
18 having spent many years driving, you know, I would just
19 encourage people, when they see a trooper who has a vehicle
20 pulled over on the shoulder of a road, to move over a lane.
21 Give a little bit of courtesy. So the dangers that your
22 troopers endure on the job, I think is, everybody should
23 commend and recognize your contributions to the
24 Commonwealth.

25 So just a quick question that I have and the

1 number one issue that I see in public health is the drug
2 epidemic, the heroin epidemic. And also now what we're
3 seeing and what I'm hearing is methamphetamine and how bad
4 the issue has become across the state between heroin and
5 meth.

6 If you could just -- and I can't elaborate
7 too much, but what can we do to enhance the efforts of the
8 Pennsylvania State Police in working with our federal
9 agents, DEA or -- and other federal agencies like ICE to
10 help cut down on this epidemic that we're seeing across our
11 Commonwealth? Because the fentanyl that's really killing
12 people is not being made or produced here. It's coming in.
13 The methamphetamine that's coming in is coming in from
14 outside our area.

15 How can we better coordinate to enhance
16 getting these harmful drugs out of our communities and off
17 our streets?

18 COLONEL EVANCHICK: We work jointly with the
19 ATF, DEA, and the FBI's Safe Streets Task Force, and other
20 entities as well. We also have a very robust Drug Law
21 Enforcement Division within our Bureau of Criminal
22 Investigation. We have drug dogs out there. We have
23 interdiction units. We have undercover operations. We
24 continue to work through our federal partners, as well.

25 We've been involved in some big seizures down

1 in the Port of Philadelphia, I believe, where there was a
2 big shipment that we were involved in part of that
3 investigation, as well. So we do a lot of joint operations
4 with various federal entities in the Commonwealth here, as
5 well as local law enforcement partners and county drug task
6 forces, as well.

7 REPRESENTATIVE HEFFLEY: All right. Thank
8 you.

9 And as we move forward with funding issues,
10 obviously we want to make sure that the money is going to
11 the highways that is collected for the highways. I believe
12 in, you know, funding more of the State Police out of the
13 general fund. There was a surplus last year and I think we
14 need to continue to look at that and making sure you have
15 the resources that you need without taking away from those
16 necessary improvements of the highways.

17 And also, just want to, you know, work,
18 acknowledge the ability to work together to help you to do
19 your job and keep our streets safe. So thank you.

20 MAJORITY CHAIRMAN DUNBAR: Thank you,
21 Representative.

22 Next will be Representative Warner.

23 REPRESENTATIVE WARNER: Thank you, Mr.
24 Chairman.

25 Gentlemen, I want to thank you all for

1 joining us here today. And I want to thank the troopers
2 across this Commonwealth for the service that they provide.
3 I have a quick question about the municipal service fee. I
4 know we highlighted on it a little bit, \$136 million. I'm
5 interested in the collection of the fee.

6 In the Governor's proposed fee, do you know
7 who's responsible for collection? Is this going to be
8 collected from the state or the local municipalities?

9 COLONEL EVANCHICK: We don't know that at
10 this point in time. And that was outside of our purview as
11 we looked at setting up this proposal.

12 REPRESENTATIVE WARNER: Okay. Is there
13 any -- I mean, has it been discussed at all? I mean, it's
14 not in writing.

15 But I was just at a township supervisors
16 meeting in Fayette County, and this is a grave concern for
17 them. A lot of them are not going to be able to afford this
18 in their budget. So if they're directly responsible for
19 it -- I mean, it's going to be a tax increase.

20 In the planning of this, are we aware that
21 many municipalities are going to have to raise taxes to pay
22 or provide this fee?

23 COLONEL EVANCHICK: I think that the cost
24 would be put on the municipality, and how they decide to
25 come up with the funding would be up to their discretion.

1 REPRESENTATIVE WARNER: Okay. Funding would
2 typically be through tax increases.

3 I guess the point I'm trying to make is
4 without the knowledge of this, this was -- you know, we were
5 told this was a no-tax increase budget during the budget
6 hearings. But if enacted, and our local municipalities
7 cannot afford this, they are in turn going to increase,
8 probably, property taxes. So this is -- I mean, if the
9 local municipalities do have to raise taxes, would you agree
10 that this is not a no-tax increase budget?

11 COLONEL EVANCHICK: I think it's up to the
12 municipality to determine whether it's going to be a tax
13 increase or they can come up with the funding through other
14 sources --

15 REPRESENTATIVE WARNER: I have looked at
16 municipalities that will definitely have to raise their
17 taxes if this fee is enacted upon them. Would you then say
18 that this is a tax increase budget if they have to raise
19 taxes?

20 COLONEL EVANCHICK: If that's your
21 interpretation of it, yes.

22 REPRESENTATIVE WARNER: Thank you very much.

23 MAJORITY CHAIRMAN DUNBAR: Thank you,
24 Representative.

25 Next will be Chairman Kauffman from the

1 Judiciary Committee.

2 REPRESENTATIVE KAUFFMAN: Thank you,
3 gentlemen, for being here today. I would be remiss if I
4 didn't recognize the excellence and the professionalism of
5 the men and women of the Pennsylvania State Police as you
6 represent them here today. And I know the State Troopers
7 Association is also in the room today representing them. So
8 thank you.

9 One thing I wanted to bring up, we all
10 recognize that violent crime in the city of Philadelphia has
11 increased dramatically. And I was wondering, has the
12 District Attorney of Philadelphia requested and has PSP
13 provided assistance in enforcing our state's criminal law in
14 the city of Philadelphia?

15 And also, does the Pennsylvania State Police
16 independently investigate and arrest on violent crimes,
17 firearm crimes, gang crimes, and drug crimes in the city of
18 Philadelphia? And if so, what's the experience of the
19 Pennsylvania State Police on the successful prosecution of
20 those crimes?

21 COLONEL EVANCHICK: We work in the city of
22 Philadelphia with organized crime, some of our other
23 investigative entities, as well. Whenever they have a
24 violation of crime, they prosecute according to the
25 Pennsylvania law. And it's up to the district attorney

1 whether he will proceed in making those things proceed to
2 court or not.

3 Concerning drug-type violations, our people
4 are instructed to make the charge for the state law as it is
5 right now and process the proceeding in that way as we go.

6 REPRESENTATIVE KAUFFMAN: Well, as you know,
7 the violence in the city of Philadelphia has increased.
8 Have you either received additional requests or more than
9 usual requests from the city of Philadelphia for assistance
10 or have you independently been pursuing these crimes?
11 Because you know, we're hearing a lot about the criminal
12 behavior and possibly a lot less about the prosecution of
13 many crimes in the city of Philadelphia, and that's the
14 concern that I'm getting to.

15 COLONEL EVANCHICK: I don't recall that we've
16 been specifically asked to go down to Philadelphia for these
17 types of things, but we do work on ATF task forces and some
18 other things, Safe Streets Task Force, as well.

19 LIEUTENANT COLONEL PRICE: To the Colonel's
20 point, we're actually quite active with the -- there's a gun
21 violence task force. It falls under us, but it's largely
22 with the Attorney General, but we're very active with that.
23 That actually morphs into some of the things we do with
24 PICS.

25 You know, we're in the process -- we actually

1 developed an ERG clean entry screen. It's pursuant to 6127
2 of the Crime's Code and that bolsters our ability -- it's
3 "enter a recovered gun" is what ERG stands for within the
4 context of the clean system. We're in the process of
5 building that out and bolstering our analytical
6 capabilities. In fact, in our Bureau of Criminal
7 Investigation, we're moving toward essentially a gun crime
8 intelligence center capability and functionality. So we
9 have worked with select entities that address issues
10 concomitant with Philadelphia, but more broadly, gun crime
11 across the Commonwealth. To the best of my knowledge, we
12 haven't received any sort of request from the district
13 attorney, though.

14 REPRESENTATIVE KAUFFMAN: Okay. So most of
15 your enforcement in the city of Philadelphia is due to law
16 enforcement coordination across the board with various law
17 enforcement agencies; is that accurate?

18 LIEUTENANT COLONEL PRICE: I think that's
19 accurate. And of course, we self-initiate because even in
20 terms of the funding discussion, we go back to, "Well, what
21 do we do in Philadelphia?" So we're responsible for primary
22 patrol responsibilities of the expressway, 676 and parts of
23 95.

24 So as the Colonel said, when we encounter a
25 crime on the expressway, whether it be, you know, a gun

1 crime, stolen gun, we've had some pursuits of robbery
2 suspects, we do encounter crime concomitant with our
3 responsibility to provide patrol services on the expressways
4 in the city. We prosecute them as, you know, we file the
5 charges as the Crime's Code demands, and then obviously it
6 becomes the province of the district attorney to make
7 prosecutorial determinations.

8 REPRESENTATIVE KAUFFMAN: And you don't
9 follow up on that? So whether the district attorney chooses
10 to prosecute or not, that's not something that you would
11 keep a record of?

12 LIEUTENANT COLONEL PRICE: We could extract
13 the data. I don't have it in front of me, but we could
14 certainly extract that data to determine what the outcome of
15 any prosecutions would be.

16 REPRESENTATIVE KAUFFMAN: I would be very
17 interested in receiving that data from the Pennsylvania
18 State Police. I think that's a concern.

19 Looks like my red light is up. Five minutes
20 goes by fast. But thank you, gentlemen, again, for your
21 attendance here today and your answers. I'll look forward
22 to that follow-up.

23 MAJORITY CHAIRMAN DUNBAR: Thank you,
24 Chairman.

25 We have reached the end of the hearing. And

1 I'll turn it over to Representative Gainey for any closing
2 comments.

3 MINORITY CHAIRMAN GAINEY: Again, I just
4 wanted to thank you for coming. Thank you for taking all of
5 our questions and answers.

6 I just hope that some of the comments that I
7 made in terms of next year is more reflective of the state
8 of Pennsylvania.

9 MAJORITY CHAIRMAN DUNBAR: Thank you, Ed.

10 And for -- there were several members that
11 asked for secondary questions, and unfortunately, we've run
12 out of time. But, Colonel, if it's all right, if they could
13 reach out to you and get those answers via e-mail or
14 something like that, if that's all right with you.

15 COLONEL EVANCHICK: Absolutely.

16 MAJORITY CHAIRMAN DUNBAR: Very good. So if
17 any members -- because there were several on both sides --
18 if they have further questions, please reach out to the
19 Colonel and his people. You can get your questions
20 answered. You can always feel free to share it with the
21 rest of the committee. We are going to adjourn and we're
22 going to reconvene at 1:15 for criminal justice agencies.

23 Thank you all for your appearance here today.

24 (The hearing concluded at 12:16 P.M.)

25

C E R T I F I C A T I O N

I hereby certify that the proceedings are contained fully and accurately in the notes taken by me on the within proceedings, and that this copy is a correct transcript of the same.

Summer A Miller

Summer A. Miller, Court Reporter
Notary Public