

Testimony of the Pennsylvania Chiefs of Police Association
Before the Senate Transportation Committee
Regarding Radar For Local Police
August 17, 2010

Good Afternoon Senator Rafferty and members of the Senate Transportation Committee. My name is David Eshbach. I am the Chief of Police in Springettsbury Township, York County, and also serve as the Chairman of the Legislative Committee of the Pennsylvania Chiefs of Police Association. The Pennsylvania Chiefs of Police Association is a professional organization comprised of chiefs of police and other executives of police, public safety and private law enforcement organizations from across the Commonwealth. The Association has more than 1300 members and promotes the professional and personal development of its participants through innovative services, training, peer counseling and camaraderie. I am joined at the table this afternoon by Chief Coleman McDonough from the Mount Lebanon Borough Police Department in Allegheny County, Amy Rosenberry, the Executive Director of the Pennsylvania Chiefs of Police Association and Tom Armstrong, the Association's Legislative Liaison.

Thank you for the opportunity to participate in this public hearing regarding radar/lidar for local police in Pennsylvania. The Pennsylvania General Assembly authorized the use of radar as a tool for speed enforcement by the State Police way back in 1961. Yes, you heard me correctly-1961!! I wasn't even on this earth in 1961 and find it ironic and perplexing that I am sitting before you today attempting to remedy a problem with you that is older than I am!! PSP has been permitted to use this reliable and proven tool for speed enforcement on Pennsylvania roadways for 49 years. And yes, it's been a 49 year quest to have the same reliable and proven tool made available to local police as well.

I am certain that my counterparts and contemporaries would agree that rarely a public meeting in a Township or Borough is held where a resident does not express a valid concern about speeding in his/her neighborhood. Often an effective response to these types of concerns is difficult to provide because of the restrictions and limitations that have been placed on municipal police regarding the tools at our disposal to address speed enforcement. No one would expect a carpenter to build a house without a saw; nor would we think that a doctor could operate without a scalpel, nor a mason build a wall without a trowel. However, the Commonwealth of Pennsylvania has expected, required and demanded our municipal police officers to attempt to enforce the speed limit, save lives and maintain order on the highways and byways of the state, without giving us every available and the most updated and technologically advanced tools to do so.

For the past forty-nine years, local police leaders have called upon the General Assembly to enact legislation that would permit our officers to more effectively address speeding issues in communities all across the Commonwealth by granting local police the authority to use radar. To date, every effort has been thwarted in some form or another...despite the requests of constituents, law enforcement and local government associations. Bills have been introduced in every legislative session, but they either die in committee or contain provisions that no one could realistically support. Pennsylvania has the unique

distinction of being the only state in the entire country that does not permit local police to use radar as a speed enforcement tool. (Shame on US!!) According to The National Highway Traffic and Safety Administration's Speed Management Strategic Initiative, which was published in September of 2005, 86 percent of speeding-related fatalities occur on roads that are not Interstate Highways. The speeding-related fatality rate per vehicle mile traveled is the highest on local and collector roads where the lowest speed limits are posted. Doesn't it seem logical then, that since much of local policing involves addressing traffic safety issues on local and collector roads, that the officers who patrol those types of roadways should be outfitted with the equipment and technology to best address those issues?

Pennsylvania has over 43,000 miles of state owned roads and 78,000 miles of locally owned roads. According to Pennsylvania's Strategic Highway Safety Plan, which was published in 2009, Pennsylvania averages approximately 1500 traffic crash fatalities per year. That translates to an average of 4 per day!! The Pennsylvania Strategic Highway Safety Plan includes a recommendation that the General Assembly consider legislation that authorizes local police to use radar as one of its top strategies to combat aggressive driving. I am sure we can all agree without any equivocation that aggressive driving is a significant problem in this Commonwealth.

An average of fifteen hundred (1500) traffic fatalities on Pennsylvania roadways annually have prompted Police Departments to take a new look at a recurring and increasing problem – aggressive driving. The number one causation factor in aggressive driving traffic crashes is SPEEDING. To put this into perspective, if an average family has four (4) members – three hundred seventy-five (375) families died last year at the hands of irresponsible drivers operating two-ton weapons. Even more enlightening and disheartening is the fact that during the time period from calendar year 2001 through 2010, United States Troops in Afghanistan suffered the loss of twelve hundred twenty-four (1224) soldiers – two hundred seventy-six (276) less deaths in full battle than on the streets of the Commonwealth; during the time period of calendar year 2007 through 2010, United States Troops in Iraq suffered the loss of fourteen hundred eleven (1411) soldiers - eighty-nine less deaths in full battle in three and one-half years than on the streets of the Commonwealth during a “typical” year.

I'm not here to condemn those who have faced this issue in prior times...I am here to explain to you how fully committed that I and the PA Chiefs of Police Association is to fixing this very real, very serious and utterly deadly problem. The statistics are shocking, revealing, shameful and simply unacceptable. For years, I believe we have been working to the lowest common denominator and I believe now is the time to change all that. Hold us accountable, give us the tools and realize the difference we can make for our citizens, our communities and our families-let us collectively work to the highest common denominator and serve our constituencies with the best possible capabilities available to law enforcement.

Over the years, municipal police have often been accused of wanting radar to generate revenue for their municipalities. Such an accusation is without merit and simply not true.

The sentiment itself is unfair and insulting to Pennsylvania's professional law enforcement officers. Your local police chiefs are not interested in serving as the "cash collector" for local government. Instead, I can assure you that our concerns are for the welfare of the public and the essential and pressing need to address public safety issues that affect the members of our communities, every day.

I thank you for bringing this issue to the forefront once again by holding this public hearing today. I applaud you for giving us the opportunity to collaborate with you to find a solution to the extremely serious public safety shortfall that the current limitation on municipal police has caused and allowed. I am grateful for the opportunity to participate and present brief testimony on this important public safety issue. I urge you to end the 49 year quest for radar for local police in Pennsylvania and ask that you work together in a bi-partisan effort to enact legislation to permit local police to include radar and lidar in their arsenal of tools to address traffic/public safety issues in their respective communities. If you have any questions, I will be glad to answer them.