

Testimony of Sheriff Larry E. Kopko, Sheriff of Warren County
Before the House Labor Committee Informational Hearing
On House Bill 2585, Thursday, September 9, 2010

Good Morning, I am Sheriff Larry E. Kopko and I am the Sheriff of Warren County, Pennsylvania. On behalf of myself and the men and women of the Warren County Sheriffs Office, I want to thank Chairman Belfanti and the members of this Labor Committee for conducting this second of three information hearings on the extremely important issue of the power and duties of the Sheriff in the Commonwealth of Pennsylvania.

Let me begin by telling this committee that I have been the Sheriff of Warren County since January 1992. Prior to that, I served with the Conewango Township Police Department rising to the rank of Lieutenant. While at Conewango Township I attended the Pennsylvania State Police Training Center in Greensburg, Pa. for Municipal Police Officers training, and earned my Act 120 Certification on June 15, 1973. I have maintained my Act 180 updates each year at a cost to the County, to maintain that certification even though MPOETC does not recognize it. Prior to serving on the Conewango Township Police Department, I served 3 years with what was then the Warren Borough Police Department, so I have served on both sides of the equation for a number of years.

I have attended several classes on Police subject matter, and I have a Bachelors of Arts Degree with a major in Criminal Justice from Edinboro University of Pennsylvania. I am also a graduate of the National Sheriffs Institute, Longmont, Colorado, A graduate of the Rural Executive Management Institute from Little Rock, Arkansas and the FBI's Great Lakes Leadership School from Niagara Falls, NY, and I am the past Vice Chairman of the National Sheriffs Association Homeland Security Committee. I teach for the Jamestown Community

College, the Commonwealth of Pennsylvania and the National Sheriffs Association.

My task is to make you aware of some of the enforcement issues that have been created by this loss of authority that the Sheriffs received at the hands of the Pennsylvania Supreme Court. I will try my best to give you examples of how it has affected our ability to do the job of protecting the citizens of this great Commonwealth.

The conflict between the Sheriffs and the Pennsylvania State Police started long before I took office as Sheriff. The Pennsylvania State Police tried to tell the Sheriff that he was no longer permitted to have emergency lights on his vehicles because it was not authorized, he was not law enforcement. Fortunately, the Sheriff chose to ignore the directive and continued to operate as he had done since taking office.

In 1969 when I came to Warren County, the Sheriffs Office was termed a full service Sheriffs Office, which meant that they did everything. They investigated crimes, served Warrants, worked traffic, and did general patrol when time permitted it. The major thing they did was to answer calls for service from residents who didn't know anybody else besides the Sheriff to call. All of the law enforcement agencies worked well together and in helping each other to solve crimes and help the citizens. Law enforcement agencies got together regularly to socialize and to compare information. Currently, not only do they not get together and socialize, they hardly communicate with the Sheriff at all. Some agencies have even been told that they are not permitted to stop at the Sheriffs Office on their tour of duty.

The Warren County Sheriff's Office is the largest agency participating in the DUI effort in Warren County, in fact if the deputies stopped participating the DUI roadblocks and checkpoints and patrols would probably cease to exist because there is not enough manpower to support them.. In the past, all agencies participated in them, now there are agencies that won't allow their officers to participate at all. This is also true

for the Drug Task Force, the Buckle Up Program and the Domestic Violence Task Force.

Prior to the last rulings, the Sheriffs Office had three trained canines, two for the detection of Drugs and Marijuana, and one for the detection of explosives. These dogs were active assisting other agencies in searches for drugs, and the explosive dog was utilized in the schools to check out bomb scares. When the last ruling came down from the Supreme Court, the requests for the K-9's assistance dropped to nothing. Agencies outside the county were being asked to do the same job, and the Warren County School District stopped calling the Sheriff completely, relying entirely upon the Pennsylvania State Police to take care of their calls because of concerns over civil liability regarding the Sheriffs powers . The dogs are now gone and all assistance coming from outside the county can add one to two hours of response time because of travel.

At one point in time, the Pennsylvania National Guard refused to fly marijuana eradications for us because the Pennsylvania State Police advised them that we were not law enforcement.. After much correspondence, and many calls to the National Guard Bureau in Washington, DC the matter was resolved and I believe that the Guard now flies those missions again.

The Warren County Sheriff's Office contracts with the Pittsburgh Office of the U.S. Army Corps of Engineers to provide patrols for the Kinzua Dam & Reservoir. This is a highly used recreational and touring area. The purpose of the patrols is to protect the dam and those who choose to stop their to recreate. . The United States Forest Service also uses the Sheriff to patrol the roads, campgrounds, boat docks and other areas of the forest for the same reason and those contracts came to an end because of these unfavorable decisions by the Supreme Court. These patrols have been reinstated with the understanding that the deputies can only act when the actually see the offense, otherwise they would have to call the Pennsylvania State Police to investigate the offense.. Because of our current status, we have to see if the patrols will be extended each year.

The biggest concern that I have over the decisions is the serious problem that my deputies now face with citizens challenging their authority when they confront them with a warrant or need to question them about something. There have been instances when these confrontations have taken place in stores and other public places, and each time it opens the door to the possibility that the deputy will be attacked.. These occurrences are dealt with swiftly in most cases, but Warren County is a large county encompassing a thousand square miles, it takes a lot of time to get backup to that deputy.. We need to assure other officers that they are secure to assist a deputy sheriff.

The Warren Barracks of the Pennsylvania State Police is an excellent station . They have dedicated, hard working troopers at that station, The last time I recall their compliment was under 20 men and women That simply is not enough troopers to do the job. After midnight, there is one state police car with 2 troopers in it for the county, and perhaps 2 other agencies that have 1 man cars out, that simply does not give the residents of Warren County the degree of protection that they deserve.

Let me make one thing perfectly clear about the position of this Sheriff ,and a whole lot of others. We have no problem with the law enforcement officers that work the roads from these various agencies, they have always been there to assist each other and I am sure that they will continue, I don't even have a problem with some of the Chiefs of Police, because they do not even know that their agency is against us, however I do have problems with the Leadership of the Pennsylvania State Police who seem obsessed with the idea of cutting the Sheriff out of everything they don't want us involved in. They always make sure that they have their hands in the business of the Sheriff . I predict that within 5 years the Pennsylvania State Police will make the move to take over issuing Licenses to carry in the Commonwealth.

This office continues to serve the residents of Warren County as much as it can, and we do an excellent job. We were

recently cited by the Superintendent of the New York State Police and the Governor of the Commonwealth of Pennsylvania on the apprehension of a most wanted felon in New York State who had shot and wounded two New York State Troopers and killed another one. Deputy Sheriffs are well trained, well qualified, conscientious, dedicated and hard working law enforcement officers who protect and serve the citizens of this great Commonwealth every day.

There is a bumper sticker that pretty much says it all when it comes to Sheriffs. The bumper sticker reads "Sheriffs: Law Enforcement of the people...by the people...for the people." We really need to make that definition whole again for public safety reasons and for the people of this Commonwealth.

There is another bumper sticker that is the product of Sheriff Mike Brown, whose county and state escape me, but the Sticker reads: "The American Sheriff, We invented Law Enforcement." Let's pass this bill so Pennsylvania Sheriffs can have the privilege and honor of practicing Law Enforcement again.