
House Labor Committee Informational Hearing

House Bill 2585, September 9, 2010

Testimony, Robert L. Wolfgang

Forest County Sheriff

Chairman Belfanti and members of the PA House Labor Relations Committee, I first want to thank you for your presence at today's informational hearing on this very important matter to the Sheriff's of Pennsylvania and the citizens of this great Commonwealth.

My name is Robert Wolfgang, and I am the Sheriff of Forest County. I have been employed with the Sheriff's Department for 24 years. I first served as deputy for 15 of those years and since that time have been honored to be sworn to "Protect and Serve" the people of Forest County as their Sheriff. I am currently serving my third term as elected Sheriff. Prior to being elected, I campaigned on the fact that I would implement and carry out contracted patrols throughout the county. I promised my constituents that I would crack down on the drug problem, DUI offenders, thefts, bad checks and whatever other crimes were reported to my office. When I first entered office, I was able to do all of these things and more. My office responded to any nature of calls that we received, we were part of the State Attorney-General's Drug Task Force, did DUI patrols, investigated bad checks, contracted with the Forest Area School District, the U.S. Army Corps of Engineers, U.S. Forest Service and the Tionesta Borough to do patrols along with handling our courthouse security duties, prisoner transports, serving civil process, issuing pistol permits, sheriff sales/levies, PFA orders and warrants.

Let me explain to you how detrimental the court decisions in *Kopko v. Miller* and *Comm v. Dobbins* have been to a small rural county, such as Forest and why we must move House Bill 2585 out of committee and ultimately implement as legislation. Forest County is a small rural county in Northwestern PA with an area of 428 square miles, 7000 plus residents and home to a state correctional facility (SCI Forest). The only law enforcement agency besides the Sheriff's Office within the county is a State Police Station that is required to cover, not only all of Forest County, but several townships in neighboring counties as well. Most often after 10:00 pm there is only one State Police car with two officers patrolling this entire region, therefore response times can easily be in excess of an hour. I have nothing bad to say about the State Police, they do a good job and we have a great working relationship with them, but they have a very large area to cover with a limited amount of manpower. Where does that leave the citizens of Forest

County when they are in the middle of a crisis and need prompt response time and the qualified and properly trained Sheriff and his deputies cannot respond?

My deputies and I are fully trained officers with Act 120, Act 2 (or State Police training). I also attended the National Sheriff's Institute in Longmont CO and the Rural Executive Management Institute, University of Arkansas in Providence RI. In addition, we have many more hours of specialized training such as: SFST, drug detection, DUI, school shooter, water rescue and firearms, just to name a few. Our training curriculum is mandated by the state and carried out by PCCD. The training of Sheriff's deputies actually exceeds that of municipal officer's training. If I hire an Act 120 trained officer or a state police trained officer PCCD mandates those officers to attend a two week (40 hour) Act 2 waiver training within one year. I have one part time officer that is also a Chief of Police in a neighboring county and when he is working for me he has limited plain view authority but when he is working as Chief of Police in his jurisdiction he has full investigative authority. This is the case in Sheriff's Offices across the state and makes no sense at all! It is outrageous to waste the valuable resource Pennsylvania has in its Sheriffs and deputies at a time when budgets are in such distress and crime is on the rise. The news media continues to report on the lack of funding to put new state police cadets through training, yet here are over 2,000 sheriffs and deputies ALREADY trained and qualified to do police work and they are being made to stand by and do nothing about the crime in their communities!

There are organizations out there that would have you believe that the Sheriffs are after more power or prestige. That is absolutely untrue. All we are asking for is to have the authority to investigate and full arrest powers that we had prior to the detrimental court decisions in Kopko v. Miller and Comm. v. Dobbins, restored to us. The duties of the Sheriff are many and we are not looking for more work, we merely want to be able to act upon information received if the need arises and to be able to put away the criminals that are prowling our communities. Criminals ready to take advantage of small, rural towns and communities without any local police department to protect it.

The other "fear-factor" those organizations opposed to House Bill 2585 are using is that it would raise costs to the county taxpayers. This too, is false. A sheriff can do nothing with the budget or employment of staff without the approval of his/her Board of Commissioners. Any hiring and salary decisions must be approved before the Salary Board and all budget proposals are approved by the Board of Commissioners every year and they make certain spending is within those guidelines. In discussing the financial impact of House Bill 2585 on counties, I would like to explain, how, in Forest County the ability to patrol, investigate criminal activity and arrest has been beneficial. The **number one benefit is public safety**. With non-traffic citations the county receives the entire fine. On traffic citations and criminal convictions the county receives a percentage of the fines. With the contracts that I negotiated and the commissioners signed we have been able to provide patrols in many areas of the county and have been able to bring income into the county. We were able to hire one full time officer and pay her wages with these

funds. The purchase of new equipment has also been made possible because of this "patrol income". For instance, my department was recently able to purchase a second new cruiser with the funds brought in by the contracted patrols, it has helped the department be able to purchase various supplies for the cruisers, taser guns for two of my deputies, two AR-15 rifles, work related apparel and a variety of other items. Again, all of this is ultimately governed by the Board of Commissioners. No contract can be made, money spent or deputies hired without Board approval.

Sheriff's and deputies are facing some serious issues as a result of not having full investigative authority. We are faced with not being able to provide full investigative services to our contracted agencies. We are also faced daily with individuals who question our authority and want to challenge us now on anything we do. It is unfair and unsafe for us to have to second guess every decision we make in the field because we are uncertain when we can act in the event of criminal activity and when "plain view" ends and an "investigation" begins. This jeopardizes the safety of officers and citizens alike, as well as, sets the county up for possible lawsuits and unnecessary court hearings. This also creates a question in every officer's mind and that hesitation could place the sheriff, deputy or innocent civilians in a dangerous situation.

We must have the Sheriffs' and deputies authority restored to what it previously had been for decades. Pennsylvania needs the resources of these trained and skilled men and women to help fight crime in all areas, especially small rural counties with no municipal police departments. The safety of the public, as well as, the Sheriff's and deputies demand it. Please vote to get House Bill 2585 out of committee and on its way to giving clear language to all interested parties as to the authority possessed by Pennsylvania Sheriff's and Deputies.