Under current Pennsylvania law, municipalities have the option of providing for local police protection based on the will of their citizens. Largely because of the numerous state mandates for police salaries and benefits, local police protection has become extremely expensive.

In 2014, half of townships that reported providing police protection through a municipal or regional police department on a PSATS survey reported spending at least 25 percent of their budget on police protection. It is critical that the legislature address the financial impact of binding arbitration and police pensions, state mandates that drive up costs for those townships that provide local police service.

Arbitration

The SR 323 Report on Unfunded Mandates found arbitration to be one of the most burdensome mandates for municipalities. PSATS supports the following reforms to relieve this mandate.

When collective bargaining negotiations go to arbitration, PSATS believes that both parties should equally bear the responsibility of paying all costs of the third, neutral arbitrator and all other expenses incurred by the board. These expenses are currently borne solely by the local government. The third arbitrator should be a resident of the same county in which the municipality is located.

The board of arbitration should be required to consider a municipality’s financial status, budget, ability to raise revenues, and the potential effect on its bond rating before making any arbitration award. Any award that would create a financial hardship for the municipality should be declared invalid, reduced, or modified by the court on appeal, and implementation of an award should be held in abeyance during the appeal process.

Further, an arbitration award should not be binding if it would:

- cause a municipality to borrow funds or increase taxes above statutory limits;
- cause a municipality to become distressed; or
- cause a municipality to suffer a reduction in its established bond rating.

PSATS supports the creation of a Bipartisan Arbitrator Compliance Committee to review awards to verify that the arbitrators are acting in the best interest of all parties involved.

Pensions

PSATS believes that the General Assembly must address the problem of mandated municipal employee benefits to bring relief to distressed municipal pension plans. Such changes should include amending the Municipal Police Pension Law to give municipalities the option of providing a defined contribution pension plan for new officers in lieu of the current mandated defined benefit plan, as well as prohibiting further expansion of police pension benefits. Municipalities need the tools to properly fund these benefits to ensure that our police employees receive the benefits they have earned.

PSATS opposes the establishment of a single, state pension system for municipal employees with mandatory participation. Such a program takes away the ability of local officials to...
make benefit decisions on behalf of their employees. PSATS also opposes any legislation that would permit full-time police officers to purchase pension credit for prior part-time or full-time police service that the officers provided to a different police department.

### Funding for Police Protection

To fund police protection, the board of supervisors should be authorized to levy a special tax for police protection of up to five mills. Townships could use this revenue to establish, fund, or operate a township or regional police department or contract with another municipality for police protection.

In addition, townships should be authorized to collect a municipal services fee for state and federal facilities located within their boundaries to offset the costs of public safety services.

Municipalities that provide local police services should be allowed to retain all the fines issued by their police officers for violations on local roads. Currently, half of these fines are shared with the state police.

PSATS supports the establishment of a low-interest revolving loan program for police equipment and facilities similar to the program available to volunteer fire companies.

When police officers must take time off from their regular duty to appear in court, the parties involved in the litigation should share equally in the cost for the police officer to attend.

While funding is important, mitigating or eliminating the financial burdens posed by binding arbitration and mandatory pension benefits must take place for our communities to remain sustainable.

### Radar

Local police should be given the ability to use radar to enforce speed limits. Traffic safety is increasingly cited as a major concern by township residents, and the currently authorized speed control devices are unwieldy and ineffective. Pennsylvania is the only state in the nation that has refused to give this life-saving tool to local police.

### State Fees for State Police Services

Due to state mandates, local police service is extremely expensive for many townships. PSATS opposes any plan to mandate that townships pay for the services of the Pennsylvania State Police.

This includes required per capita or similar fees for townships that do not provide police services, as well as mandated charges for crime lab services, use of the State Police helicopter, and other State Police services for any municipality. However, we do support legislation that would allow townships to voluntarily contract with the State Police for patrol and ordinance enforcement services.