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**Getting the State Out of Local Law Enforcement**

Local law enforcement ought to be the responsibility of local government, not the state. To be sure, there are areas of law enforcement that the General Assembly has specifically delegated to state enforcement officials. These would include areas such as enforcement of gaming laws as well as some environmental laws, and investigating corruption cases involving elected officials.

Thus, it is a bit surprising to learn that fifty percent of Pennsylvania's 2,563 municipalities (1,266) rely solely on the state police for service. Twenty-one such municipalities have populations of 10,000 or more. In total, about 27 percent (as reported by the state police) of the state's population relies on the state police.

Now comes House Bill 2563, sponsored by Rep. John Pallone, which, if enacted, will require every municipality without a locally funded police force and a population of 10,000 or more residents to pay \$100 per person for the use of state police coverage. If these larger municipalities do not want to pay the state for police services, they will be required to create a local police department, join a regional police department, or contract with another community to provide police coverage.

Note that all municipalities in Allegheny County, with the exception of two very small municipalities totaling 314 people, pay for their own law enforcement. In contrast, four of the twelve municipalities with a population of 10,000 or more residents in Westmoreland County depend on the state for police services. The remaining eight larger municipalities pay an average of \$124 per resident to maintain police departments.

While obviously a great deal for the four municipalities receiving state police coverage, the money to pay for that service must come from somewhere. Right now that somewhere is the Commonwealth's taxpayers. The basic question is: Why should taxpayers who pay for their own police also pay for law enforcement in other communities?

Notwithstanding its attempt to correct a glaring inequity, there is a problem with the bill. The bill's population cutoff at 10,000 or more residents is excessively arbitrary. Only 9.7 percent of the municipalities in Pennsylvania have a population this high. In fact, almost 60 percent of the state's municipalities (1,510) have a population under 2,500. To totally remove the inequity, the smaller municipalities using the state police should pay something as well.

If the smaller and very rural communities with low crime rates need or utilize state police at a much lower rate than larger communities, the state could work out a lower per capita or per incident response charge for these communities. Each municipality needs to take responsibility for the safety of their residents. State taxpayers should not have to shoulder this cost in addition to what they spend on their own local police coverage. For very small, rural communities, other

payment options might be considered, but their size alone should not exempt them from paying for police protection.

Fundamentally, however, the bill needs to be refocused. Here is a proposal to amend the bill in a way that should work much better for both the state and the local communities. First, amend state law for all classes of counties to grant deputy sheriffs law enforcement power, similar to state police or local police, to be used only in municipalities that provide no law enforcement.

Second, require that responsibility for local law enforcement be shifted to the county for those municipalities without their own police coverage. By so doing the state could potentially save upwards of a quarter of a billion dollars in its state police budget. Obviously, a transition period from state coverage to deputy patrols would be necessary. During the transition period, say three years, the state would gradually phase out its patrols as the county's deputies were hired and trained and the necessary cars and other equipment purchased. In fact, as the state police downsize, there might be opportunities for already trained state officers to become deputies. Moreover, the state could donate its newly created surplus cars and radio gear to the counties to reduce the burden during transition.

In this arrangement, the county's elected officials, working with its municipalities, would come up with the appropriate force levels and then target personnel as needed to provide the best law enforcement for the municipalities without their own police. It would be up to the counties' governing bodies to levy general taxes or impose special fees on the municipalities using deputy patrols.

In counties where some municipalities provide for their own police service and some do not, the debate about how to pay for the deputy patrols could be intense. But it has the benefit of forcing the "free riding" municipalities to explain to neighboring municipalities why they should not be required to pay for police services. As it stands now they are not called to task since their neighbors who pay for law enforcement probably think their share of the state patrols for "free riding" neighbors is very small and not worth raising a fuss over. Of course, the problem is that the "free riding" neighbors are only a tiny part of the statewide problem which they must also help pay for.

By shifting the cost of local law enforcement for municipalities that don't provide their own to the county level, the true cost of the deputy patrols would be made very clear to everyone and would almost certainly lead to strenuous efforts to find ways to keep costs as low as possible and streamline operations.

This certainly makes more sense than the current situation whereby the state must by default come in to provide law enforcement service. That is an open invitation for misuse by some municipalities in that it allows local governments to shirk their responsibilities.

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