



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA STATE POLICE
HARRISBURG

COLONEL JAMES D. BARGER
COMMISSIONER

April 19, 1974

The Honorable H. Joseph Hepford, Chairman
Committee to Investigate the
Administration of Justice
Post Office Box 3900
Harrisburg, Pennsylvania 17105

Dear Sir:

I offer the following comment, in order that the public will be properly enlightened as to my policy concerning solicitation by employees, enlisted and civilian, of the Pennsylvania State Police.

Several months prior to the date of this written order, a verbal order was issued to the personnel prohibiting solicitation.

The interim from the time of the verbal order to the time of the written order involved a review by the Attorney General's Office as to the legality of the order.

A copy of the written order is attached.

Very truly yours,

James D. Barger
James D. Barger
Commissioner

PENNSYLVANIA STATE POLICE
DEPARTMENTAL HEADQUARTERS
HARRISBURG

73-125
Special Order

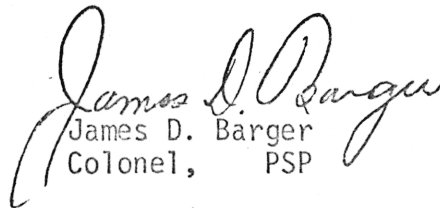
July 5, 1973

FROM: Commissioner
TO: Region, Area, Troop and Station Commanders,
and Bureau Directors
SUBJECT: Solicitation By Employes of The Pennsylvania
State Police

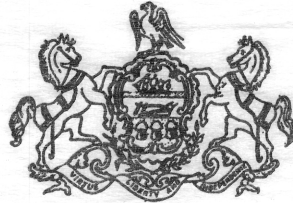
1. Employes of the Pennsylvania State Police shall not solicit funds in connection with any organization, nor shall any employe hold office in any organization that solicits funds either through a solicitor or by organization members, without first obtaining the consent of the Commissioner.

2. All Pennsylvania State Police employes who currently are officers in such organizations shall by August 6, 1973, submit to the Commissioner a list of all such organizations in which they hold office. This list shall include the name of the organization, a brief statement of its purpose and the office or offices held.

3. This order pertains to all enlisted and civilian employes of the Pennsylvania State Police, whether on or off duty.


James D. Barger
Colonel, PSP

Distribution "B"



HOUSE OF REPRESENTATIVES

COMMONWEALTH OF PENNSYLVANIA

HARRISBURG

May 30, 1974

Colonel James D. Barger
Commissioner
Pennsylvania State Police
617 Transportation and Safety Building
Harrisburg, Pennsylvania

Dear Colonel Barger:

As you may know, the Committee to Investigate the Administration of Justice is approaching the rendering of a Committee report that will include recommendations, conclusions and legislative suggestions within the law enforcement spectrum in Pennsylvania.

With respect to the Pennsylvania State Police, we have reviewed the seventeen recommendations made by the Governor's Review of Government Management in its March 1972 transmittal communication to the Governor. This Committee as yet has taken no position on these recommendations, and this letter to you is not to be construed as an indication that any of them are advocated. Those recommendations, however, were the product of an extremely impressive panel and it would, therefore, be appreciated if you would, as promptly as possible, make known to me your comments as to the seventeen recommendations.

If any of them have been adopted or implemented, resulting in increased efficiency, cost savings, or with unfavorable results, we would like to have the facts and figures.

Sincerely,

H. JOSEPH HEPFORD
Chairman

HJH:rf

Governor's Review of
Government Management, Inc.

308 Main Capitol Building
Harrisburg, Pennsylvania 17120
(717) 787-1303

James M. Wallace, Chairman
George A. Butler, Vice Chairman
Bruce C. Lindsay, President
George L. Morrison, Jr., Fund Chairman
Robert M. Wachob, Manpower Chairman

March 1972

The Honorable Milton J. Shapp
Governor of Pennsylvania
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania 17122

Dear Governor Shapp:

The report which follows is the culmination of a study requested by you and undertaken by 85 Pennsylvania executives who formed the Governor's Management Review Task Force. It is the opinion of this task force that, given time and the wholehearted cooperation of the Legislature and the commonwealth's employees, the result should be a reduction in the cost of state government operations of at least \$276-million per year. In addition, there will be a decrease in federal costs of \$46.5-million annually and in local government expenditures of \$33-million per year with no loss of vital public services.

As encouraging as this sounds, we would caution against simplistic conclusions which envision instant and massive cost reductions. Not all of the savings are immediately attainable and some, upon further study, may prove unfeasible. Therefore, the figures already quoted represent only 50% of the savings claimed in this report. Still, it is our belief that 10% to 15% of the recommendations made can be implemented by the end of 1972. We also expect that approximately two-thirds of the proposals can be achieved on a long-range basis. Many of the suggestions can be implemented by executive order. Some steps have already been taken in several departments to put various recommendations into effect. A number of the proposals can only be implemented by the Legislature while others require a change of policy encompassing both executive and legislative action.

All of the members of this study wish to express their appreciation of the cooperation received from the representatives of state government with whom we worked. Their competence, enthusiasm, and spirit of cooperation were invaluable. In fact, a number of the recommendations in this report are the result of suggestions made by commonwealth employees.

We also wish to thank you as well as our corporations for allowing us to be associated with this important project. We trust that our efforts will be of lasting benefit to the citizens of Pennsylvania.

FOR THE MEMBERS OF THE
GOVERNOR'S REVIEW



J. M. WALLACE, CHAIRMAN

3. Charge a fee for pre-sentence investigations and supervision of probation and parole cases requested by county judges.

The board must provide these services when asked. Such requests shift the financial responsibility for offenders from the county's taxpayers to others in the commonwealth. Therefore, a fee should be charged to cover costs. The estimated annual income is \$800,000. The same amount will be an annual cost to local governments.

4. Eliminate the Board of Probation and Parole and the Board of Pardons.

Both boards and the Bureau of Correction are responsible for releasing offenders from correctional institutions. Under this system all three agencies have overlapping release functions and two—the Board of Probation and Parole and the Bureau of Correction—have duplicate community supervision efforts. The public interest would be better served if

the administration of probation and parole activities were merged into the Bureau of Correction, consolidating release and supervisory activities within the Department of Justice.

To implement this proposal, a Board of Appeals with a subsidiary Corrections Review Board should be created. The Board of Appeals would be attached to the Attorney General's office. It would handle appeals from decisions concerning corrections, rehabilitation, and parole, establishing guidelines for these areas. It would also assume duties now residing with the Board of Pardons.

The Corrections Review Board would be located within the Bureau of Correction and would approve bureau recommendations regarding release or return of offenders on furlough or parole. Implementation will provide total annual savings of \$737,000 through reductions in staff and consolidation of community facilities.

Pennsylvania State Police

The Pennsylvania State Police enforces the laws of the commonwealth regulating highway use and assists the Department of Transportation in issuing motor vehicle and operator licenses and certificates of title as well as in collecting related fees. Assistance is also given in collecting taxes on liquid fuels and cigarettes. State police cooperate with local, federal, and other state authorities in preventing and detecting crime, apprehending offenders, and preserving law and order.

CURRENT OPERATING METHODS

The department has an authorized personnel complement of 4,593 which includes 1,149 officers, 2,580 troopers, and 594 civilian employees as well as 135 enlisted and 135 civilian vacancies. The budget for fiscal 1972 is \$68.1-million and includes \$1.6-million in federal funds. Approximately 80% of the total budget is provided by motor vehicle and operator license fees.

The department's basic functions are enforcement of criminal and traffic laws and providing support services. Law enforcement activities required 87% of the budget and 89% of the department's personnel during fiscal 1971 with 78% of the law enforcement man hours spent in areas related to traffic patrol. The remainder is related to criminal investigations.

Support services include operating a training academy for state and local police, manning a criminal identification facility and police laboratory, and providing supply, planning, research, accounting, and transportation functions for the department.

These services also include operation of a computer-oriented communications and information services unit which is developing the Commonwealth Law Enforcement Assistance Network (CLEAN). When operational, this network will be the hub of a rapid information retrieval system for state, county, and local police. About half of the operating costs will be federally funded.

APPRAISAL OF OPERATIONS

The Pennsylvania State Police is staffed with well-trained professionals. The dedication, loyalty, and morale of officers and troopers is impressive. In recent years, it has become a more complex, technologically oriented organization which requires sophisticated managerial techniques. However, opportunities for improvements in document flow, computer operations, records management, and general operating information have been largely ignored.

With the exception of reports and projections prepared by the Fiscal Division, there is no functioning

management information system used for future planning. In addition, the Planning and Research Division, which has the potential to improve internal operations of the force, has been delegated only routine assignments.

Fees for training municipal police are inadequate while the locations of troop facilities are no longer efficient and changes are impeded by the self-interest of certain legislators. Staffing levels and support equipment, such as patrol cars, are not determined on the basis of sound management practices. Some duties assigned to state police do not require the use of a trooper for execution.

RECOMMENDATIONS

1. Eliminate seven area commander positions.

The deputy commissioner in Harrisburg directs field activities of 110 substations throughout the commonwealth. He is assisted by the field commander, who is backed up by seven area commanders who supervise 17 troop commanders. The area commanders, who are one of eight supervisory levels between the commissioner and the troopers, have no staff. As a practical matter, they are often bypassed in communications between state headquarters and troops. Their function of assuming command during an emergency could be assigned to specified troop commanders as required. Elimination of these seven positions would provide annual savings of \$160,000.

2. Move the regional substations at Kiski Valley, Somerset, Bedford, Carlisle, Ephrata, Schwenksville, Fern Ridge, Rockview, and Stroudsburg into nearby turnpike or interstate substations.

These regional units are located within two to 15 miles of seven turnpike and two interstate substations. The substations have vacant space because of the recent elimination of sleeping facilities. Moving the regional operations into them will provide a one-time income of \$116,000 from sale or termination of leases at existing locations and annual savings of \$56,000 in operating costs. Investing the one-time income at 5% will produce an annual income of \$5,800.

3. Integrate 19 interstate and turnpike substations into regional troop operations.

Currently, 10 interstate substations share facilities with regional troop operations. Implementation of a previous recommendation will increase this number to 19. However, two commanders and two organizational structures at the same location are unnecessary and impede trooper assignment flexibility between

limited access and conventional highways. Therefore, the interstate and turnpike highway patrols should be integrated with the regional troops, eliminating the need for 19 substation commanders. It will also permit consolidation of communications facilities at nine substations. Implementation will provide an annual saving of \$855,000.

4. Eliminate the troop commands at interstate and turnpike headquarters at Milesburg and Highspire.

As a result of implementing recommendations which abolish interstate and turnpike troops as separate units, the commands responsible for these operations will become unnecessary and can be eliminated. Records functions can be assimilated into the troop operations acquiring interstate and turnpike patrol duties while functional responsibilities should be assigned to the field commander at the department headquarters. Elimination of 16 officers, eight civilian employees, and 12 automobiles will produce a total annual saving of \$337,000.

5. Combine certain proximate substations and troop commands and determine the feasibility of additional mergers.

Each county, except Juniata, contains at least one substation. Since their establishment, improved highways have reduced traveling times to the extent that fewer substations and less administrative personnel can provide all necessary services. The Planning and Research Division has already recommended several consolidations of troop commands.

Implementation would provide \$295,000 annually in savings. In addition, two more troop commands and seven substations could be merged for an annual saving of \$847,000 or a total of more than \$1.14-million. There would also be a one-time saving of \$462,000 in construction costs for one of the troop facilities being eliminated. Invested at 5%, this will produce an annual income of \$23,100. It is further recommended that the Planning and Research Division prepare a long-range program for restructuring troop boundaries, substation locations, and patrol zones on a statewide basis without regard to county lines.

6. Discontinue retail purchase of gasoline by turnpike patrol vehicles.

During fiscal 1971, 540,000 gallons of regular grade gasoline were purchased at an average retail cost of \$0.38 per gallon. Bulk purchased fuel is available from 23 turnpike-owned fuel delivery points at a cost of \$0.16 per gallon. Buying gasoline from these points would permit an annual saving of \$118,000.

There would be a loss of Pennsylvania tax revenue amounting to \$43,200. Federal tax is not paid by the commonwealth or the Pennsylvania Turnpike Commission.

7. Locate regional training courses for municipal police departments in existing state buildings rather than in new facilities.

Several bills requiring new municipal policemen be given formal training are now in the Legislature. The Pennsylvania State Police anticipates construction of six training centers at a cost of more than \$1.1-million. Funds have not yet been appropriated for this purpose. Using existing space in troop headquarters buildings and armories throughout the state would eliminate the need for such construction.

8. Revise the application sequence for potential state troopers.

Application for training as a trooper involves a preliminary interview, written examination, background investigation, physical, and oral board review. Applicants must now wait from nine to 18 months for a final decision. To prevent well-qualified persons from seeking alternate employment during the waiting period, a faster sequence is recommended:

- ▶ Accompany the formal application with a complete physical report prepared by a family physician at the applicant's expense.
- ▶ Administer qualifying exams at two-month intervals, advising candidates of their percentile ranking.
- ▶ Conduct background investigations and board hearings on a continuing basis.
- ▶ Notify persons qualifying for admission to the academy immediately.

In addition to improving service to potential state police, implementation will provide an estimated annual saving of \$40,000 by preventing medically unqualified persons from entering the paperwork and investigation process.

9. Increase fees charged by the State Police Academy for training municipal police.

A maximum weekly fee of \$10 per man for academy training was established by law in 1935. No charge is made for courses conducted at municipal police installations. The actual weekly cost of resident training is between \$125 and \$145 per man. Training at municipal police installations costs from \$85 to \$105 per man. Charges for training municipal police are generally covered by federal grants.

Since such funding is not being fully utilized by the commonwealth, it is expected that additional charges could be completely recovered. Fees should be set at \$135 per week for academy training and \$95 per week for nonresident courses. The annual income to Pennsylvania and the annual federal cost is estimated at \$88,300.

10. Replace 57 unmarked highway patrol cars in the headquarters motor pool with intermediate sedans.

These cars are not equipped with short wave radios, making them unsuitable for highway patrol work. Therefore, they could be replaced with intermediate sedans at a savings of approximately \$1,000 per car. The annual saving, based on an estimated turnover rate of 60%, would be \$34,200.

11. Purchase patrol vehicles at the beginning of the model year.

Trade-in values are higher at the beginning of the model year which generally starts in October. By placing state police vehicle orders before November, the trade-in vehicles will be disposed of at the highest possible price. The estimated increase in price per vehicle is \$325 or an annual saving of \$292,000 based on a 900-car turnover rate.

12. Replace 100 unmarked patrol cars used for investigation work with standard automobiles.

The department's fleet has more than 700 unmarked patrol cars. A number of these are used for investigations which do not require a vehicle constructed especially for highway patrol duty. Therefore, an estimated 100 of the fleet vehicles could be replaced with standard models at a savings of \$900 per car. Using an annual turnover rate of 60%, the savings would total about \$54,000 per year.

13. Expedite replacement of two-man radar units with one-man equipment and reduce trooper strength accordingly.

The Pennsylvania State Police has both two-man and one-man radar units in operation. The fiscal 1972 budget includes funds to replace 30 of the two-man sets with the remainder to be phased out the following year. A new electronic device is available which measures average speeds under a wider variety of conditions than present radar can. It is \$200 per unit cheaper. However, evidence obtained from these devices is not admissible in Pennsylvania courts and it would require legislative action to make them legal.

Immediate replacement of all two-man units would produce an annual saving of \$207,000 at a one-time cost of \$9,000 while the recommended devices would

provide improved law enforcement. In addition, 15 fewer trainees would be required by the academy during the next enrollment period.

14. Use civilians in certain noncritical jobs now performed by state police.

Civilians are now employed in several job categories. However, in fiscal 1971, 340 additional positions could have been filled with civilians rather than troopers. These principally include radio operators, drivers' license examiners, automotive inspection station examiners, some maintenance and supply personnel, clerks and clerical supervisors, fire marshals, and computer operations supervisors. Implementation will provide an annual saving of more than \$1.2-million.

15. Develop a more effective Planning and Research Division.

This division, although currently understaffed, has the potential to develop effective programs for the Pennsylvania State Police. To function effectively, Planning and Research should be given bureau status with a major as chief reporting directly to the commissioner. Recommended expansions in activities will require five additional people with experience in operations research, industrial engineering, electronic data processing, mathematical simulation, and computer analysis. With such expertise available, Planning and Research should devote additional efforts to:

- ▶ Long-range planning.
- ▶ Work systems analysis including forms design, paperwork flows, development of units of measure for work output, and task scheduling.
- ▶ Statistical regression analysis and trend projections based on traffic accidents, arrests, and general criminal activities.

- ▶ Motor pool management and efficient vehicle utilization.
- ▶ Employment of electronic devices and their use as a deterrent to highway safety violators.
- ▶ Job descriptions and man hour allocations to specific police functions.

Implementation will cost about \$84,700 per year. In addition, only candidates with suitable backgrounds should be considered for future openings in the proposed bureau.

16. Conduct a pilot program to evaluate the need for the proposed expansion of community relations officers.

The Community Relations Division has received approval to increase its field staff by 30 officers annually for each of the next five years. The program is intended to provide the nucleus for implementing a policy to place greater emphasis on crime prevention. The new personnel will work closely with schools, civic organizations, local governments, news media, and the like in order to educate the public concerning all aspects of crime prevention.

Although the philosophy appears sound, the results have not been substantiated. Therefore, the program should be tried on a pilot basis involving two or three locations. Results could be analyzed as a measure of the project's effectiveness before total implementation is authorized. No savings are claimed.

17. Eliminate the Data Net Communications System.

This system was used before the establishment of the Commonwealth Law Enforcement Assistance Network. Since it is now redundant, it should be eliminated for equipment rental savings of \$72,000 per year.

Pennsylvania Public Utility Commission

This commission regulates rates, service facilities, accounting, operational safety, and territories of public utilities. Services classified as utilities include gas, electric, telephone, water, sewage, railroads, and other transportation activities.

CURRENT OPERATING METHODS

The commission is comprised of five paid members appointed to staggered 10-year terms by the Govern-

nor with the approval of the Senate. Five bureaus are responsible for various phases of the work. They include Secretarial; Rates and Research; Transportation; Law; and Investigation, Service, and Enforcement Bureaus. Commission expenditures have increased from \$3.17-million in fiscal 1969 to \$4.5-million in fiscal 1972. The current staff totals 374. At the end of each year, utilities are assessed for 95% to 97% of the state funds expended.



HOUSE OF REPRESENTATIVES

COMMONWEALTH OF PENNSYLVANIA

HARRISBURG

May 30, 1974

Colonel James D. Barger
Commissioner
Pennsylvania State Police
617 Transportation and Safety Building
Harrisburg, Pennsylvania

Dear Colonel Barger:

Attached is a copy of what appears to be the ribbon original of a letter addressed to Representative H. Joseph Hepford, Chairman, Committee to Investigate the Administration of Justice, handed to me to bring to your attention.

The contents of the letter, if true, constitute serious charges that will obviously be of urgent concern to you. We know that if you have not already conducted an appropriate inquiry, you will want to do so and Mr. Hepford would like to be apprised of the results.

The delay in getting this to you has been occasioned presumably by an error in the postal service in that although the envelope was postmarked at Bedford, Pennsylvania, May 16, 1974, and properly addressed to Mr. Hepford in Harrisburg, it went to Washington, D.C. and eventually was redelivered here.

Sincerely,

DOWNEY RICE
Counsel

DR:rf
enclosure 1

BC: Mr. Wilbur Metcalf
Pennsylvania Crime Commission

COPY

May 15th. 1974

Bedford Penn.

H. Joseph Hepford
House of Representatives
Harrisburg Penn.

Dear Sir:-

I am a State Trooper with about 11 years service. I cannot sign this letter because if I did I would be sent to Erie or maybe Philadelphia, but everything I write here is the truth and I am simply trying for a better State Police, with no malice towards anyone. We were told to write the Commissioner if we knew of anything dishonest, we were told to make known certain information to an investigator, several did and were exiled. We wrote the Commissioner and two high ranking State Police Officers spent their time checking typewriters in a futile effort to find out WHO wrote the letters.

We had a NCO here who peddled untaxed whiskey in direct violation of the KAW. This same man operated a shake-down racket. He operated as an influence peddler and got a Captain's wife a job in a liquor store in Hollidaysburg Penn. It is strongly rumored that he participated in a conspiracy to FRAME A PROMINENT LOCAL CITIZEN. This man is totally corruptible and cannot be transferred because his Troop Commander (and mine) is unable to do anything for the reason that this "peddler" arranged to get the Captain certain material for the Captain's swimming pool for FREE. The material was "charged" to the farm of one of the owners of New Enterprise Stone and Lime Company. There was an investigation conducted on this character during the regime of Jolly Rocco Urella and it was "white-washed" by one SERGEANT CROWIN, who later admitted having cheated in a State Police examination. State Police cars are not used for patrol but for transportation to and from the golf course. State Police are conspicuous by their absence on the highways.

Troubled Trooper

Copy; Attorney General



COMMONWEALTH OF PENNSYLVANIA
HEADQUARTERS
PENNSYLVANIA STATE POLICE
HARRISBURG

June 3, 1974

Mr. Downey Rice, Counsel
Committee to Investigate the Administration of Justice
Post Office Box 3900
Harrisburg, Pennsylvania 17105

Dear Mr. Rice:

In response to your letter of May 30, 1974, with letter attached dated May 15, 1974, addressed to H. Joseph Hepford, from "Troubled Trooper", please be advised that this Department also received a copy of this letter and had ordered an investigation into the circumstances.

Some of the information contained in the letter had been reported previously and was investigated at that time. The additional allegations will be included in the current investigation.

If we can be of any further assistance in this, or any other matter, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "R. O. Wellendorf".

R. O. Wellendorf
Lieutenant Colonel
Deputy Commissioner

Mr. Rice



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA STATE POLICE
HARRISBURG

COLONEL JAMES D. BARGER
COMMISSIONER

June 3, 1974

H. Joseph Hepford, Chairman
House of Representatives
Committee to Investigate the
Administration of Justice
Post Office Box 3900
Harrisburg, Pennsylvania 17105

Dear Mr. Hepford:

In regards to your letter of May 30, 1974, requesting information relative to the Governor's Review of Government Management, kindly be advised that I have discussed this request with Mr. Frank Beal.

As directed by the Governor's Office, we have submitted quarterly reports to the Governor's Office explaining what we have implemented in regards to this Review report.

Mr. Beal advised that he will furnish you the information that you request from our department.

Very truly yours,

James D. Barger
James D. Barger
Commissioner

x 5440 Sec. of Admin.

6-3-74

*Ed Bulpa - a.a. to Beal. Beal in Pitt. - will have
Beal call 6-4
Mary - says call
John Heller - clarify - first 6026 - to Beal
Mary called - Heller in meeting - will have call*



HOUSE OF REPRESENTATIVES

COMMONWEALTH OF PENNSYLVANIA

HARRISBURG

June 11, 1974

Mr. Frank S. Beal
Secretary
Office of Administration
Room 425, S. W. Main Capitol
Harrisburg, Pennsylvania

Dear Mr. Beal:

Enclosed is a copy of my letter forwarded to Colonel James D. Barger on May 30, 1974, together with a copy of his reply thereto.

It would be appreciated if you would furnish me with the information requested from the Commissioner.

Sincerely,

H. JOSEPH HEPFORD
Chairman

HJH:rf

6/19/74
This Material should
not be given to
anyone and
remain Confidential
H. J. Hepford



COMMONWEALTH OF PENNSYLVANIA
HEADQUARTERS
PENNSYLVANIA STATE POLICE
HARRISBURG

JAM
M

June 18, 1974

The Honorable H. Joseph Hepford
Committee to Investigate the Administration of Justice
Post Office Box 3900
Harrisburg, Pennsylvania 17105

Dear Representative Hepford:

As indicated in my letter of June 3, 1974, to Mr. Downey Rice, an investigation had been ordered into the anonymous letter from "Troubled Trooper" prior to the receipt of his correspondence of May 30, 1974.

I am forwarding for your confidential use a copy of our Investigation Report of 11 June 1974, G1-31887, which includes the allegations contained in the letter of complaint addressed to you.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

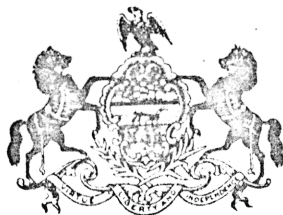
R. O. Wellendorf
R. O. Wellendorf
Lieutenant Colonel
Deputy Commissioner

CHAIRMAN

H. Joseph Hepford

MEMBERS

Eugene R. Geesey
Russell J. LaMarca
Joseph Rhodes, Jr.
David M. Turner



Room B-2

OFFICE:

Room 629 - Main Capitol
Phone: AC 717-787-7170

MAILING ADDRESS:

Post Office Box 3900
Harrisburg, Pennsylvania 17105

JJM

HOUSE OF REPRESENTATIVES
COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF JUSTICE
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

June 20, 1974

The Honorable Israel Packel
Attorney General
Department of Justice
Department of Justice Building
Capital Annex - Old Museum Building
Harrisburg, Pennsylvania

Dear Mr. Attorney General:

I received the following information today from a source that should be reliable:

"Colonel Barger is supposed to have covered up a deal concerning one of his friends, Lt. James Policicchio, officer in charge of the State Police Turnpike Troop, Somerset. It seems that a Sgt. Cizmek was transferred to Somerset and discovered that there was some shaking down taking place. It was a deal with garagemen. The matters involved charging for oil changes that didn't take place and other deals with the garage proprietor or proprietors. This was referred to Captain Homer Redd, Commanding Officer, Troop T, Highspire, Penna., and investigated and found to be true. The rumor around the field is that due to the friendship with Barger and Policicchio that the matter was covered up without any action or restitution to the Commonwealth. This matter would bear checking out since it was supposed to be operated on a fairly large scale. This Lt. Policicchio has charge of several stations on the Turnpike. (Policicchio and Barger were close friends when in the Butler Troop.) (Policicchio is also a close friend of Ernie Kline's - having been in Beaver Falls.)"

Since the allegation involves the Commissioner, I suggest that your staff handles the investigation. We would appreciate being advised of the results of your inquiry.

Sincerely,

H. JOSEPH HEPFORD
Chairman

HJH:rf

June 15th.

I received this information today and maybe you can pass this on the Rep. Hepford.

the following "That Col. Barger

I received information today, that Barger is supposed to have covered up a deal concerning one of his friends, Lt. Polocchio, Officer in charge of the State Police Somerset, Turnpike Troop. It seems that a Sgt. Mickey Czmick was transferred to Somerset and dis covered that there was some shaking down taking place. It was a deal with garage men, the matters involved charging for oil changes that didn't take place and other deals with the garage proprietor or proprietors. This was referred to Captain Homer Redd, Commanding Officer, Troop T, Highspire, Penna., and investigated and found to be true. But it appears that Barger and Polocchio (I'm not sure of the Lt's name being spelled correctly) The rumors around the field is that due to the friendship with Barger and Polocchio that the matter was covered up without any action or restitution to the Commonwealth. This matter would bearing checking out since it was supposed to be operated on a fairly large scale. This Lt. Polocchio has charge of several stations on the Turnpike. (Polocchio and Barger were close friends when in the Butler Troop). (Polocchio is also a glose friend of Ernie Kaine's-having been in Beaver Falls).

Just checked the roster-correct spelling of names:
Lt. James Policicchio
Sgt. Mickey Cizmek

Since the allegation involves the Commissioner I suggest your staff handles the investigation.

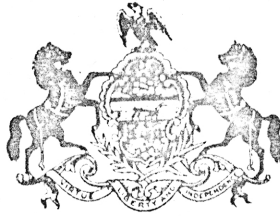
We appreciate being advised of results of inquiry.

CHAIRMAN

H. Joseph Hepford

MEMBERS

Eugene R. Geesey
Russell J. LaMarca
Joseph Rhodes, Jr.
David M. Turner



Room B-2

OFFICE:

~~Room 629~~ - Main Capitol
Phone: AC 717-787-7170

MAILING ADDRESS:

Post Office Box 3900
Harrisburg, Pennsylvania 17105

HOUSE OF REPRESENTATIVES
COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF JUSTICE
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

July 1, 1974

Colonel James D. Barger
Commissioner
Pennsylvania State Police
617 Transportation and Safety Building
Harrisburg, Pennsylvania

Dear Colonel Barger:

In connection with the subject of "moonlighting" by Pennsylvania State Police, you wrote me on March 22, 1974 on the subject and stated that because of an Arbitration Award, it is obvious that it will be necessary to revise your regulations concerning outside employment prior to July 1, 1974.

Would you be good enough to advise me for the Committee as to the current regulations?

Sincerely yours,

H. JOSEPH HEPFORD
Chairman

HJH:rf



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA STATE POLICE
HARRISBURG

COLONEL JAMES D. BARGER
COMMISSIONER

March 22, 1974

The Honorable H. Joseph Hepford
Chairman, Committee to Investigate
the Administration of Justice
Room B-2, Main Capitol Building
Harrisburg, Pennsylvania

Dear Representative Hepford:

Under the provisions of Act III, negotiations for a labor contract between the Pennsylvania State Police and the Fraternal Order of Police have been conducted each year since 1970. The parties to the negotiations are the Commonwealth of Pennsylvania (Pennsylvania State Police) represented by the Bureau of Labor Relations (Office of Administration) and the Fraternal Order of Police representing the enlisted personnel of our Department. During the course of the most recent negotiations, the Chief Negotiator for the Commonwealth was William Myers, Esq. and the Chief Negotiator for the Fraternal Order of Police was Howard Richards, Esq.

In response to your request of March 19, 1974, I am including a chronology of our regulations, arbitration awards, and labor agreements as they relate to members of the Pennsylvania State Police engaging in outside employment since 1968:

September 15, 1968 - State Police Regulations

Paragraph 1.19 of FR 1-1, Employment Outside the Department, stated, "A Member's engagement, participation, or performance in any business, occupation, trade, or profession other than as required by the Pennsylvania State Police is permissible only with the written approval of the Commissioner."

July 1, 1971 - Arbitration Award

Paragraph 14 of the Arbitration Award, in response to a Fraternal Order of Police request for unlimited permission to "moonlight", stated, "The F.O.P. request that police officers be permitted to moonlight on days they are not working is denied."

April 4, 1972 - State Police Regulations

Paragraph 1.19 of FR 1-1, Employment Outside the Department, stated, "A Member's engagement, participation, or performance in any business

occupation, trade, or profession other than as required by the Pennsylvania State Police is permissible only with the written approval of the Commissioner. Such approval will be granted only after a thorough investigation has been conducted by a Commissioned Officer and it has been positively determined that: (1) the Member is undergoing a critical financial hardship, (2) employment outside the Department is absolutely necessary to resolve the hardship, and (3) the type of employment the Member is seeking will in no way conflict with his official duties, or could not be interpreted as one which might have an adverse effect on the Member or the Department. The results of the investigation, indicating the Troop Commander's or Division Director's approval or disapproval, will be in the form of correspondence forwarded through channels to the Commissioner."

July 1, 1972 - Arbitration Award

In response to the Fraternal Order of Police request for unlimited authority to "moonlight", paragraph 14 of the Arbitration Award stated, "The panel recognizes that there are special circumstances which may make it desirable for an officer to hold some form of additional employment. The panel awards that such employment is permissible if prior approval has been obtained from the Police Administration."

May 15, 1973 - State Police Regulations

Paragraph 1.39 of FR 1-1, Employment Outside the Department, stated, "A Member's engagement, participation, or performance in any business, occupation, trade, or profession other than as required by the Pennsylvania State Police is permissible only with the written approval of the Commissioner. Such approval will be granted only after a thorough investigation has been conducted by a Commissioned Officer and it has been positively determined that: (1) the Member is undergoing a critical financial hardship, (2) employment outside the Department is absolutely necessary to resolve the hardship, (3) the type of employment the Member is seeking will in no way conflict with his official duties, or could not be interpreted as one which might have an adverse effect on the Member or the Department. The results of the investigation, indicating the Troop Commander's or Division Director's approval or disapproval, will be in the form of correspondence forwarded through channels to the Commissioner. Failure to comply with the provisions of this section upon notification shall constitute a subsequent violation of this section."

July 1, 1974 - Arbitration Award

In response to a Fraternal Order of Police request for unlimited authority to "moonlight" the Arbitration Award stated in paragraph 17, "It is the intent of the Board of Arbitration that officers be

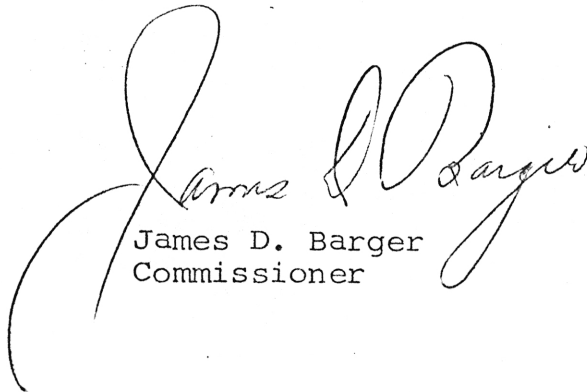
permitted to engage in outside employment under appropriate circumstances. Outside employment shall not be limited to hardship cases and may take place provided:

- a. Prior authorization is obtained.
- b. The scope of employment does not demean the image of the Pennsylvania State Police.
- c. There is no conflict with the officer's primary duties.
- d. The total amount of employment does not interfere with the officer's ability to perform his duties properly."

It is obvious that it will be necessary to revise our regulations concerning outside employment prior to July 1, 1974. We have not established which types of employment would be prohibited; however, the provisions of our regulations will have to conform to the provisions of the Arbitration Award cited above.

We trust this information will be helpful.

Sincerely,



James D. Barger
Commissioner



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL
HARRISBURG, PA. 17120

ISRAEL PACKEL
ATTORNEY GENERAL

July 3, 1974

Honorable H. Joseph Hepford
Chairman, Committee to Investigate
the Administration of Justice
House of Representatives
Room 629, Main Capitol Building
Harrisburg, Pennsylvania

Dear Representative Hepford:

With respect to your letter of June 20, 1974, I normally do nothing about anonymous reports. In this instance, however, because of the statement that the matter was referred to Captain Homer Redd and investigated and found to be true I thought that this matter should be checked out.

I find that the statement is completely false because it was neither referred to Captain Redd nor investigated by him and not found to be true. Under the circumstances, I shall not have the matter investigated unless the informant discloses his identity and furnishes me, under oath, facts which would warrant investigation.

Sincerely,

Israel Packel
Attorney General

IP jg



COMMONWEALTH OF PENNSYLVANIA
HEADQUARTERS
PENNSYLVANIA STATE POLICE
HARRISBURG

July 3, 1974

Hon. H. Joseph Hepford
Chairman of the House Committee to
Investigate the Administration of Justice
P. O. Box 3900
Harrisburg, Pennsylvania

Dear Representative Hepford:

Colonel Barger has requested me to reply to your letter of July 1, 1974, in which you have inquired about the status of Lieutenant Angelo Carcaci.

As you are aware, Lieutenant Carcaci went on Occupational Disability January 3, 1974, as a result of an automobile accident. He was returned to duty on June 4, 1974, at which time he was assigned to Troop "S" at Milesburg.

Our investigation into the matters set forth in your letter of December 14, 1973, has been concluded and you were periodically furnished with copies of all investigative reports pertaining thereto.

Action to be taken against Lieutenant Carcaci is dependent upon the resolution of litigation pending between Lieutenant Carcaci, your Committee, and the Supreme Court.

If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

R. O. Wellendorf
Lieutenant Colonel
Deputy Commissioner

Moonlighting

Very poor guidance

*No mandate against
selling the badge -
guard service etc.*

July 11, 1974

The Honorable H. Joseph Hepford
Chairman, Committee to Investigate the
Administration of Justice
Post Office Box 3900
Harrisburg, Pennsylvania

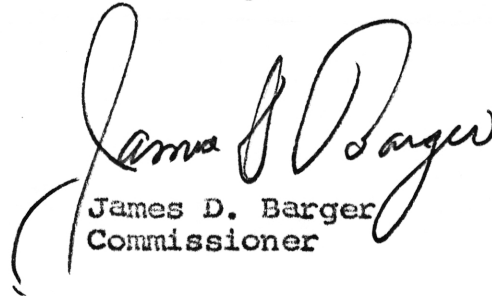
Dear Representative Hepford:

Enclosed is a copy of our Special Order 74-126,
which was recently promulgated to implement the provisions
of the 1974-75 arbitration award with respect to outside
employment.

These procedures will be made part of our
permanent regulations in the near future.

We trust this information satisfies your
request of July 1, 1974.

Sincerely,


James D. Barger
Commissioner

PENNSYLVANIA STATE POLICE
DEPARTMENTAL HEADQUARTERS
HARRISBURG

74-126
Special Order

July 8, 1974

SUBJECT: Outside Employment Requests

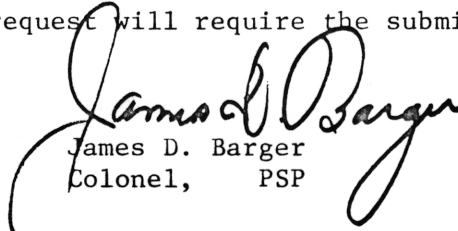
TO: Region, Area, Troop and Station Commanders and Bureau Directors

FROM: Commissioner

1. As a result of the current Arbitration Award and Collective Bargaining Agreement, a Review Board has been established to consider all requests for outside employment. The Board will consist of the Deputy Commissioner, Director, Bureau of Criminal Investigation and Director, Bureau of Personnel.

2. All requests for outside employment shall be submitted thru channels. The following are some guidelines that Troop Commanders should consider when reviewing requests prior to their submission to the Review Board.

- A. A member should not work more than four (4) hours in addition to a regular eight (8) hour active duty shift. However, the requested outside employment shall not interfere with the satisfactory performance of a member's duties as a Pennsylvania State Police Officer. Further, there shall be a minimum rest period of eight (8) hours during which time a member shall not engage in any outside employment prior to returning to an active duty shift.
 - B. A member shall not seek employment with persons and/or firms with questionable reputations and/or criminal backgrounds.
 - C. A member should not accept outside employment when it can reasonably be foreseen that it would displace or deprive another person who is in need of such employment.
 - D. A member will not be permitted to conduct any business related to outside employment while he is on active duty.
3. All requests shall include the name of the employer, work location, a detailed description of type of work to be performed and the number of days and hours to be worked each week.
4. Troop Commanders shall forward all requests for outside employment to the Director, Bureau of Personnel. The request will be reviewed by the Board and recommendations will be submitted to the Commissioner for his action. The Director, Bureau of Personnel will prepare the reply relevant to the Commissioner's decision.
5. Any change in the original request will require the submission of a new request.


James D. Barger
Colonel, PSP

Distribution "B"