

H.R. 167 POLICE SERVICES TASK FORCE

COUNTY PARK POLICE ANALYSIS

Statutes

- Act of August 9, 1955, P.L. 323, Sections 2511 and 2512 (16 P.S. 2511 and 2512), the County Code
- Act of July 28, 1953, P.L. 723, Sections 3033 and 3034 (16 P.S. 6033 and 6034), the Second Class County Code

Provisions

- Permits commissioners to establish park police.
- Responsible for the enforcement of rules of the park, with power to make warrantless arrest of any offender.
- No provisions are included relating to method of hire, civil service, training, or any other comparable matter contained under other "police" statutes.

Practice

- Park police forces are typically created by larger counties.
- The title of the department varies among counties, e.g. "County Park Rangers".
- Arrest policies vary; "arrest", particularly of Vehicle Code violations, is often in the form of detention pending arrival of a municipal or state police officer.

Other Statutes

- Applicability of labor laws is based on the fact circumstances of the individual department, with some ruled under Act 111 (see In re Bucks County Park Rangers, 8 Pa. D. & C.3d 537, 1978) and others under Act 195 (see Bilbow v. Delaware County, 1 Pa. D. & C.3d 141, 1976).
- Included by definition under the Heart and Lung Act (53 P.S. 637).
- Members of the park police department of any county of the third class are included in definition of "peace officer" under the Crimes Code (18 Pa.C.S.A. 501).
- Lang v. Delaware County (490 A.2d 20, 88 Pa.Cmwlth. 452, Cmwlth. 1985) indicates that a county park police member, even though confined to a specialized law enforcement task and limited to making sight arrests for minor offenses, is a "peace officer" for the purposes of the Law Enforcement Officer Death Benefit Act.
- There is a question whether the Lang decision extends the applicability of the Crimes Code definition (18 Pa.C.S.A. 501) beyond park police of counties of the third class. The Lang decision places park police in general under the Law Enforcement Officer Death Benefit Act's definition, which itself specifically cites the "peace officer" definition of the Crimes Code.
- County Park Police do not fall under the training provisions of the Municipal Police Officer Education and Training Act, but may take courses by county purchase of an "admission ticket". Attendance on this basis does not lead to certification.

PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES ANNOTATED
PURDON'S PENNSYLVANIA STATUTES ANNOTATED
TITLE 16. COUNTIES
CHAPTER 1. THE COUNTY CODE
ARTICLE XXV. RECREATION PLACES

Current through the end of 1996 Reg. Sess. and through 1996 Sp. Sess. No. 2

§ 2511. Employes; police

For the purpose of performing all necessary duties relating to the establishing, making, enlarging, extending and maintaining public parks and for enforcing the rules and regulations ordained or resolved by the county commissioners or by any body or board of control where no penalty or fine is involved, the county commissioners of the county are hereby authorized to employ or appoint and equip proper persons to do all necessary and proper work connected therewith, including police or guard duty.

§ 2512. Duty of police

It shall be the duty of the police or guards appointed to duty in any recreation places, without warrant, forthwith to arrest any offender against the rules and regulations, ordained or resolved by the county commissioners, that they may detect in the commission of such offense, and to take the person so arrested forthwith before a magistrate, alderman or justice of the peace having competent jurisdiction.

PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES ANNOTATED
PURDON'S PENNSYLVANIA STATUTES ANNOTATED
TITLE 16. COUNTIES
CHAPTER 2. SECOND CLASS COUNTY CODE
ARTICLE XXX. RECREATION PLACES
(B) PARKS

Current through the end of 1996 Reg. Sess. and through 1996 Sp. Sess. No. 2

§ 6033. Employes; police

For the purpose of performing all necessary duties relating to the establishing, making, enlarging, extending and maintaining public parks and for enforcing the rules and regulations ordained by the county commissioners for the conduct of the patrons thereof, the said county commissioners are hereby authorized to employ or appoint and equip proper persons to do all necessary and proper work connected therewith, including police duty, the compensation of all persons so employed to be fixed by the salary board of the county.

§ 6034. Duty of police

It shall be the duty of the police appointed to duty in said public parks, without warrant, forthwith to arrest any offender against the rules and regulations ordained by the county commissioners that they may detect in the commission of such offense, and to take the person so arrested forthwith before a magistrate, alderman or justice of the peace having competent jurisdiction.