

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

# SENATE BILL

No. **722** Session of  
1961

---

INTRODUCED BY MR. PROPERT, JUNE 1, 1961.

---

---

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT,  
JUNE 1, 1961.

---

## AN ACT

Regulating the suspension removal furloughing and reinstatement of  
county detectives in certain third class counties

The General Assembly of the Commonwealth of Pennsylvania  
hereby enacts as follows

- 1 Section 1 Applicability This act shall apply to each third class  
2 county that elects to come under the provisions of this act
- 3 Section 2 Removals No person employed as a regular full time  
4 county detective in any third class county shall be suspended or re-  
5 moved except for the following reasons

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter ~~stricken through~~  
is to be omitted from bill.  
Underscoring indicates new matter added to existing law. {Brackets} indicate matter  
stricken from existing law.

1 (1) Physical or mental disability affecting his ability to continue  
2 in service in which cases the person shall receive an honorable discharge  
3 from service

4 (2) Neglect or violation of any official duty

5 (3) Violation of any law of this Commonwealth which provides  
6 that such violation constitutes a misdemeanor or felony

7 (4) Inefficiency neglect intemperance disobedience of orders or con-  
8 duct unbecoming an officer

9 (5) Intoxication while on duty

10 A person so employed shall not be removed for religious racial or  
11 political reasons A written statement of any charges made against any  
12 person so employed shall be furnished to such person within five days  
13 after the same are filed

14 Section 3 Reduction in Number of Detectives If for reasons of  
15 economy or other reasons it shall be deemed necessary by any third  
16 class county to reduce the number of detectives then such county shall  
17 apply the following procedure

18 (1) If there are any employes eligible for retirement under the  
19 terms of any retirement or pension law then such reduction in numbers

1 shall be made by retirement if the party to be retired is sixty-five years  
2 of age or over

3 (2) If the number of county detectives eligible for retirement is  
4 insufficient to effect the necessary reduction in number or if there are  
5 no persons eligible for retirement or if no retirement or pension fund  
6 exists then the reduction shall be effected by furloughing the man or  
7 men last appointed as a detective Such removal shall be accomplished  
8 by furloughing in numerical order commencing with the man last ap-  
9 pointed until such reduction shall have been accomplished In the event  
10 the detective force shall again be increased the employes furloughed  
11 shall be reinstated in the order of their seniority in the service

12 Section 4 Hearings on Dismissals If the person sought to be sus-  
13 pended or removed shall demand a public hearing the demand shall  
14 be made to the District Attorney Such person may make written answers  
15 to any charges filed against him The District Attorney shall grant him  
16 a public hearing which shall be held within a period of ten days from  
17 the filing of charges in writing and written answers thereto filed with-  
18 in five days and may be continued by the District Attorney for cause  
19 or at the request of the accused At any such hearing the person against  
20 whom the charges are made may be present in person and by counsel

1 The District Attorney may suspend any such person without pay pend-  
2 ing the determination of the charges against him but in the event the  
3 District Attorney fails to uphold the charges then the person sought  
4 to be suspended or removed shall be reinstated with full pay for the  
5 period during which he was suspended and no charges shall be officially  
6 recorded against his record No order of suspension made by the District  
7 Attorney shall be for a longer period than one year

8 A written record of all testimony taken at such hearings shall be  
9 filed with and preserved by the District Attorney which record shall  
10 be sealed and not be available for public inspection in the event the  
11 charges are dismissed

12 Section 5 Appeals The suspended or dismissed employe shall have  
13 the right to appeal to the court of common pleas of the county in  
14 which he was employed

We certify that this bill has passed the Senate and the House of Representatives.

.....  
Chief Clerk, Senate

.....  
President pro tempore, Senate

.....  
Speaker, House of Representatives

Approved The ..... day of ..... A. D. 1961.

.....  
Governor