

RESOLUTION NO. 37 of 2021

**EXTENDING THE RENEWAL PERIOD FOR PRIVATE DETECTIVES' LICENSES
PURSUANT TO THE PRIVATE DETECTIVE ACT**

On motion of Commissioner D'Agostino, seconded by Commissioner Parsons,

WHEREAS, Act 132 of 1992 amended § 21 of the Private Detective Act of 1953, 22 P.S. § 11 *et seq.*, to provide that county clerks of courts may reissue private detectives' licenses for a period of up to five (5) years; and

WHEREAS, the prior statute, upon which Lancaster County's current private detectives' license renewal procedures are based, limited the renewal period for such licenses to two (2) years; and

WHEREAS, the Lancaster County Clerk of Courts wishes to extend the renewal period for private detectives' licenses to five (5) years as permitted by law.

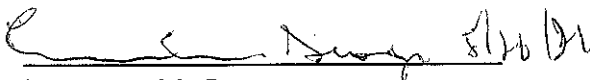
THEREFORE, BE IT RESOLVED by the Commissioners as follows:

1. The Clerk of Courts of Lancaster County may reissue private detectives' licenses for a period of up to five (5) years without a mandatory waiting period, unless the Clerk perceives a problem which requires submission of the renewal application to the court.
2. The licensing fee for any probationary or renewal period shall be no less than \$100.00 per year.

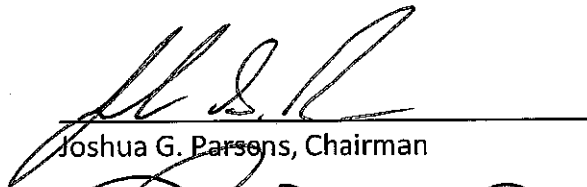
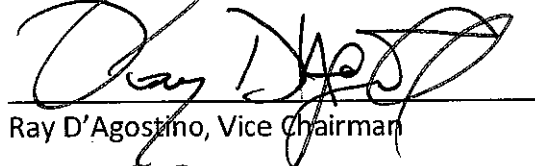
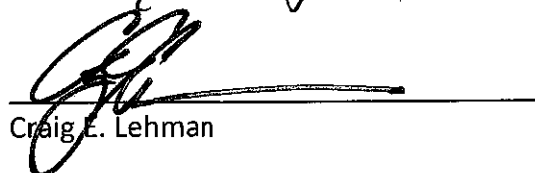
Motion passed unanimously.

Adopted by the Board of Commissioners of Lancaster County this 26th day of May 2021.

ATTEST:



Lawrence M. George
Administrator/Chief Clerk
County of Lancaster, PA


Joshua G. Parsons, Chairman
Ray D'Agostino, Vice Chairman
Craig E. Lehman

**Board of Commissioners of
Lancaster County, Pennsylvania**

5/26/21



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March 14, 2021

Joshua G. Parsons, Chairman
Office of the County Commissioners – Lancaster Co.
150 North Queen Street
Seventh Floor, Suite 715
Lancaster, PA 17603

RE: Proposal – 5-Year Private Detective License Renewal

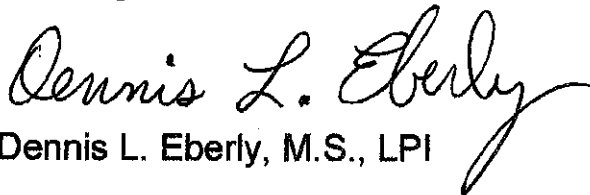
Dear Sir:

I know you have had your plate full dealing with the response to the COVID-19 pandemic. I commend you on those efforts. When you are able to find some time, I would appreciate it if you could look at my accompanying proposal regarding the renewal of Private Detective licenses in Lancaster County.

After reviewing the proposal, I believe you will agree that extending the renewal period is a win-win situation for everyone involved. Implementation of a 5-year renewal period provides potential savings in both, time and money. I believe this would correspond well with your fiscally-responsible approach to leading the county government.

Please do not hesitate to contact me if require any additional information or have any questions. I look forward to hearing from you regarding this issue.

Best regards!

A handwritten signature in cursive script that reads "Dennis L. Eberly". The signature is written in black ink and is positioned above the printed name.

Dennis L. Eberly, M.S., LPI

PROPOSAL:

5-YEAR PRIVATE DETECTIVE LICENSE RENEWAL – LANCASTER CO., PENNSYLVANIA

March 14, 2021

Submitted by:

Dennis L. Eberly, M.S., LPI
On Target Investigation & Consulting, LLC

A. INTRODUCTION

Currently, private detective licenses issued by the County of Lancaster require renewal every two years. This two-year renewal period was prescribed in the original legislation, the Private Detective Act, which was instituted in 1953. In 1992, a statutory amendment to the original statute allowed counties to extend the renewal period up to five years.

The purpose of this proposal is to outline a case for the County of Lancaster to adopt the implementation of the amendment and provide for a five-year renewal of Private Detective licenses. If implemented, the process will result in savings of time and money for both, private detectives and the County of Lancaster. Additionally, there are no anticipated negative impacts resulting from the implementation.

Statutory background:

The licensing of private detectives in the Commonwealth of Pennsylvania is regulated by the Private Detective Act of 1953. The original Act, passed on August 21, 1953, prescribed renewal of Private Detective licenses every two years.

In 1992, the General Assembly of Pennsylvania enacted Senate Bill No. 1688, which amended the Private Detective Act of 1953. The amendment provided for:

“The clerk of courts shall reissue the license for a period of up to five years, without a mandatory waiting period, unless the clerk perceives a problem which requires submission of the renewal application to the court.”

B. FINANCIAL ANALYSIS & IMPACT

Current time/financial costs of **each** PI license renewal:

Following is an analysis of time and costs associated with county employees for each license renewal.

Each PI license renewal requires tasks by several county employees. I have researched time and pay commitments of each of those.

Clerk of Courts clerk 45 minutes @ \$12.25 per hour (average salary)
County Detectives 1 hour @ \$29.00 per hour (average salary)
Sheriff's Department clerk 30 minutes @ \$12.25 per hour (average salary)

Total county salary costs for each PI license renewal: \$44.32

Calculation of time/monetary savings for County of Lancaster:

Currently, there are 21 private detectives licensed by the County of Lancaster. This represents a total time commitment of 47.25 hours by county employees at a total labor cost of \$930.72 in order to renew all of the current licenses.

In the two-year renewal process, this would represent a time commitment over five years of 118.13 hours by county employees at a labor cost of \$2,326.80.

In a five-year renewal process, the time commitment over five years would be 47.25 hours at a labor cost of \$930.72. This reduction represents a time **savings of 70.88 hours** over the five-year period. This is time that could be used by county employees to attend to various other duties that require attention. The reduction results in a **labor cost savings of \$1,396.08** over the five-year period.

This does not, in the larger scheme of things, represent a substantial savings. However, it does represent some savings in time and money for the county.

Calculation of time/monetary savings for Private Detectives:

The PI license renewal process represents an estimated 2-hour time investment by each Private Detective. This involves completing renewal paperwork, travel to the courthouse, processing time at the Clerk of Courts, and processing time at the Sheriff's Department. With a five-year renewal process, each PI could save 3 hours of time over that five-year period.

The current PI license renewal fee is \$200 for the two-year period. If the five-year renewal is adopted, the County would likely charge \$500 for a five-year renewal. This is how other counties have set up the fee where five-year renewals have already been instituted. So, the county would see no loss in revenue generated by the license renewal fee.

Private Detectives could realize a slight savings with regard to the filing fee, which is \$26.50. Over the five-year period, each PI could save \$39.75 in filing fees. Again, not a substantial savings, but a savings none the less.

C. RESEARCH OF OTHER PENNSYLVANIA COUNTIES

I conducted on-line research of the other 66 counties in the Commonwealth of Pennsylvania. I attempted to identify the license renewal periods for each county. I was not able to determine that information on-line in a number of counties. For those counties that publish the information, I was able to identify some counties that have adopted the amended renewal process in some form.

Four counties adopted 5-year Private Detective license renewals
(Chester Co., Montgomery Co., Schuylkill Co., & Butler Co.)

Four counties provide for 2 or 3-year Private Detective license renewals
(Bucks Co., Lycoming Co., Allegheny Co., & Lawrence Co.)

D. SURVEY OF PRIVATE DETECTIVES LICENSED IN LANCASTER CO.

I conducted a survey of the currently-licensed Private Detectives in Lancaster County in order to determine interest in the implementation of a five-year license renewal period in the County of Lancaster.

I was able to establish contact with 13 of the 21 Private Detectives currently licensed by the County of Lancaster. All of them support the implementation of a five-year license renewal process. A couple of them expressed concern that the license fee does not exceed \$100 per year.

E. ALIGNMENT WITH SIMILAR LICENSING PROCESSES

It should be noted that two other closely-related licensing processes in Pennsylvania have a **five-year renewal** process and also require criminal record checks. These are:

- 1) **Act 235 – Lethal Weapons Training Act:** Licensing of security officers, private detectives, armored car guards, & other private protective personnel to carry weapons in the performance of their duties.
- 2) **Pennsylvania Concealed Carry Weapons Permit:** Allows properly-screened private citizens to carry concealed firearms.

F. CONCERNS REGARDING UNETHICAL OR ILLEGAL ACTS BY LICENSED OR UNLICENSED PRIVATE DETECTIVES

In case any concerns arise regarding the longer time period for running criminal record checks on Private Detectives renewing their licenses, it should be noted that complaints regarding unethical or illegal acts can be reported to the County Detectives for investigation. If the complaint is substantiated by investigation, there are provisions for revoking the license of the involved persons and/or instituting criminal sanctions. This can occur at any time.

Additionally, PALI (Pennsylvania Association of Licensed Investigators), which is the state professional association for Private Detectives, promotes the professionalism of investigators across the Commonwealth. There are provisions in place for their Ethics Committee and/or the Board of Directors to investigate allegations of unethical or illegal acts by both, licensed and unlicensed Private Detectives. If such allegations are substantiated, PALI also has the option of referring these matters to the appropriate law enforcement agencies for investigation/prosecution.

With these mechanisms in place, there should be little concern about the integrity of licensed investigators under a five-year renewal process.

G. CONCLUSION

In summary, there are a number of good common-sense reasons to support implementation of the five-year renewal of Private Detective licenses. They include:

- 1) Savings in time/money for employees of the County of Lancaster.
- 2) Savings in time/money for Private Detectives licensed by the County of Lancaster.
- 3) Authorized by statutory amendment to the Private Detective Act of 1953.
- 4) There are other counties in the Commonwealth of PA that have already implemented five-year renewals.
- 5) There would be no reduction of license fee revenue stream for the County.
- 6) It aligns with other similar licensing processes in the Commonwealth:
 - a) Act 235 – Lethal Weapons Training Act
 - b) Pennsylvania Concealed Weapons Carry Permit
- 7) It is supported by a large majority of currently-licensed Private Detectives in Lancaster County.

H. RECOMMENDATION

It is highly recommended that this proposal be considered and adopted by the County of Lancaster. You may want to retain the two-year period for the initial licensing of a new Private Detective as a form of a probationary period. If no problems arise with the new licensee during the initial licensing period, then it would be prudent to implement the longer renewal periods for the licensee.

In the interest of flexibility to various individual needs of Private Detectives, it is recommended to offer **2,3,4, or 5-year renewals at \$100 per year**. That would enable the Private Detective to choose the period appropriate to their needs. One situation that may arise is where a Private Detective may want to retire at a particular age. This would enhance such planning, with the ability to obtain licensing for the appropriate time period. During my research, I discovered that Chester County offers these various renewal periods.

I. APPENDICES

- 1) Private Detective Act of 1953, as amended
- 2) Roster of Licensed Lancaster County Private Detectives (as of October 26, 2020)