

Web ad about Wallace police raises questions about state Sunshine Law

Media law counsel says it's premature because no official action has been taken

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WALLACE — Township supervisors decided two weeks ago to have a public hearing regarding a police force ordinance.

Since then, an advertisement for a police chief posted on the township's Web site has raised questions related to the state's Sunshine Law.

The hearing scheduled for Thursday night is for residents and supervisors to address the possibility of creating an independent police force. The township currently receives services from the Brandywine Regional Police.

Melissa Melewsky, media law counsel with the Pennsylvania Newspaper Association, said the police chief advertisement is contrary to the intent of the Sunshine Law. She said it's premature to have an advertisement because no official action has been taken on the police department.

"It seems that they (elected officials) don't care what voters have to say," Melewsky said. "All residents and taxpayers have the right to make their voices heard before the decision is made."

But Supervisor Rob Jones said he and the other board members directed the township's police consultant to create a

draft application for a police chief at a July 17 meeting. He said decisions for the public hearing and police application were made publicly at the board's last meeting and supervisors allowed for public comment before and after both of these decisions.

"In my mind, it (the advertisement) is clearly not a violation of the Sunshine Act," Jones said. "It (the advertisement) is not a step toward official establishment of a police department."

And Jones said it does not have an affect on public input at Thursday's hearing.

If Wallace supervisors decide not to move forward with adopting the police ordinance, applications for the police chief will be shredded, Jones said.

Residents at the last township meeting asked whether supervisors would make a decision at the end of the public hearing.

Jones said that legally, a supervisor could bring a motion forward to approve the police ordinance at the close of the hearing. Action, if any, could also be delayed, he said.

At meetings, residents have said this process of creating a police department has been rushed.

But Jones said the process has not been rushed. He said the issues be-

tween Wallace and East Brandywine have been ongoing, and after years of negotiations Wallace is exploring other police options.

In March, Wallace officials notified neighboring East Brandywine of their intent to withdraw from the regional police agreement.

East Brandywine officials have accepted Wallace's decision to withdraw. And East Brandywine Supervisor Jay Fischer said his township will create its own police force.

East Brandywine officials are waiting for Wallace to tell them the official split date of the regional police department, Fischer said.

Brandywine Regional Police officers have said they are worried about losing their jobs. East Brandywine supervisors said they are committed to retaining 10 regional police officers for their own township police force.

Wallace officials said they intend to give employment preference and priority to officers working for the regional police force. But Wallace officials said the hiring process is dependent on a need to have officers with different levels of experience.

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