

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 97

Session of
1989

INTRODUCED BY KUKOVICH, RYBAK, KOSINSKI, TIGUE, COWELL, BOYES, JOHNSON, BORTNER, MARKOSEK, DISTLER, MELIO, DeLUCA, BUNT, FOX, TRELLO, SCHULER, KAISER, ANGSTADT, HERMAN, CARLSON, McCALL, McHALE, CARN, DIETTERICK, CAWLEY, VAN HORNE, COY, DOMBROWSKI, MAIALE, PISTELLA, CAPPABIANCA, SAURMAN, ITKIN, BATTISTO, PETRARCA, MRKONIC, LANGTRY, COLAFELLA, MORRIS, LASHINGER, DALEY, MILLER, FREEMAN, STABACK, LESCOVITZ, PRESSMANN, JACKSON, ARGALL, GEIST, NAHILL, RAYMOND, WASS, EVANS, JOSEPHS, RITTER, FARGO, PRESTON, CORRIGAN, GIGLIOTTI, LEH, VEON, STEIGHNER, E. Z. TAYLOR, BILLOW, STABACK, BLAUM, J. L. WRIGHT AND MAYERNIK, JANUARY 24, 1989

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 24, 1989

AN ACT

1 Amending the act of November 22, 1978 (P.L.1166, No.274),
2 entitled "An act establishing the Pennsylvania Commission on
3 Crime and Delinquency, providing for its powers and duties
4 establishing several advisory committees within the
5 commission and providing for their powers and duties,"
6 authorizing a crime prevention program; and providing for
7 technical and financial assistance to law enforcement
8 agencies.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The preamble of the act of November 22, 1978
12 (P.L.1166, No.274), referred to as the Pennsylvania Commission
13 on Crime and Delinquency Law, is amended to read:

14 The General Assembly finds and declares that:

15 (a) crime and delinquency are essentially State and local
16 problems;

1 (b) crime and delinquency are complex social phenomena
2 requiring the attention and efforts of the criminal justice
3 system, State and local governments, and private citizens alike;

4 (c) the establishment of appropriate goals, objectives and
5 standards for the reduction of crime and delinquency and for the
6 administration of justice must be a priority concern;

7 (d) the functions of the criminal justice system must be
8 coordinated more efficiently and effectively;

9 (e) the full and effective use of resources affecting State
10 and local criminal justice systems requires the complete
11 cooperation of State and local government agencies; [and]

12 (f) training, research, evaluation, technical assistance and
13 public education activities must be encouraged and focused on
14 the improvement of the criminal justice system and the
15 generation of new methods for the prevention and reduction of
16 crime and delinquency[.];

17 (g) the efforts of law enforcement to combat the incidence
18 of crime are enhanced substantially when communities take steps
19 to reduce the opportunity for crime through effective police
20 leadership in crime prevention planning, public education and
21 the responsible organization of community resources; and

22 (h) it is in the public interest for the Commonwealth to
23 establish a central crime prevention program to provide
24 leadership and technical and financial assistance to law
25 enforcement agencies to develop and maintain community crime
26 prevention initiatives.

27 Section 2. Section 1 of the act, amended April 30, 1986
28 (P.L.125, No.38), is amended to read:

29 Section 1. Definitions.

30 The following words and phrases when used in this act shall

1 have, unless the context clearly indicates otherwise, the
2 meanings given to them in this section:

3 "Citizens advisory committee." A group of not less than ten
4 private citizens from a municipality whose duty shall be to
5 assist the servicing law enforcement agency in developing its
6 crime prevention program.

7 "Commission." The Pennsylvania Commission on Crime and
8 Delinquency.

9 "Crime prevention." The elimination or reduction of the
10 opportunity for criminal activity through the initiatives of
11 agencies of local and State government undertaken in cooperation
12 with members of the public.

13 "Governing body." The council in cities, boroughs and
14 incorporated towns, the board of commissioners in townships of
15 the first class, the board of supervisors in townships of the
16 second class, the legislative policymaking body in counties and
17 home rule municipalities or other general purpose units of
18 government which may be created by the General Assembly,
19 including councils of government organized pursuant to the act
20 of July 12, 1972 (P.L.762, No.180), referred to as the
21 Intergovernmental Cooperation Law.

22 "Local law enforcement agency." A law enforcement agency
23 created by a municipality pursuant to statute.

24 "Municipality." Every city, borough, county, incorporated
25 town, township and home rule municipality or other general
26 purpose unit of government which may be created by the General
27 Assembly, including councils of government organized pursuant to
28 the act of July 12, 1972 (P.L.762, No.180), referred to as the
29 Intergovernmental Cooperation Law.

30 "Private citizen." An individual who is not an elected or

1 appointed official in a branch of government of the United
2 States, the Commonwealth or a political subdivision.

3 "State law enforcement agency." The Pennsylvania State
4 Police.

5 Section 3. The act is amended by adding sections to read:

6 Section 3.1. Duties of the commission relative to crime
7 prevention.

8 The commission shall have the power and its duty shall be:

9 (1) To develop Statewide strategies to implement crime
10 prevention programs at the State and local level.

11 (2) To review State agency plans to ensure the
12 coordination of the delivery of crime prevention services.

13 (3) To develop, coordinate and administer crime
14 prevention-related training programs for State and local law
15 enforcement agency personnel on current issues and techniques
16 in the field of crime prevention.

17 (4) To provide leadership and on-site technical
18 assistance services to State agencies and local law
19 enforcement agencies in developing and implementing crime
20 prevention programs.

21 (5) To assure the design, development and availability
22 of crime prevention materials.

23 (6) To promote the involvement of community
24 organizations in the development and implementation of crime
25 prevention programs.

26 (7) To submit, on a biennial basis, a report to the
27 Governor and the General Assembly concerning the status of
28 crime prevention programs throughout the State.

29 Section 3.2. Crime prevention financial assistance.

30 (a) Applications.--The commission shall solicit and receive

applications from local law enforcement agencies for financial assistance to implement crime prevention programs and allocate State funds to such applicants in accordance with the provisions of applicable statutes and regulations.

(b) State Police applications.--The Pennsylvania State Police may apply for and receive financial assistance under the provisions of this section for crime prevention programs implemented in those areas of the Commonwealth for which the State Police serves as the principal law enforcement agency.

(c) Assurances and plan.--An application for financial assistance under the provisions of this section shall contain assurances that the applicant will submit semiannual reports on the progress of its crime prevention activities and will comply with such other requirements that the commission may reasonably adopt. The application shall also include a crime prevention services plan containing, as a minimum, all of the following elements:

(1) A project plan which includes a goal statement, specific project objectives, a project budget statement, a description of the quantity and type of resource materials needed and a project evaluation methodology.

(2) A description of the types of crime prevention activities proposed to be conducted by the applicant and a specification of the nature and extent of the direct participation of community organizations in the proposed activities.

(3) A description of the nature and extent of participation by persons representing the business community in the proposed activities and a specification of those proposed activities which are intended to have an impact upon

those crimes affecting the local business community.

(4) A specific identification of the nature and types of crimes upon which the proposed activities are intended to impact and the level of impact the activities are projected to achieve.

(5) A description of the geographic area within which the proposed activities will be primarily conducted.

(d) Approval of application.--The commission may not approve an application for financial assistance under this section unless:

(1) the application has been duly authorized and approved in writing by the governing body of the municipality served by a local law enforcement agency applicant or by the Commissioner of the State Police in the case of a State law enforcement agency application; and

(2) the application has been reviewed and commented upon by an advisory committee composed of not less than ten residents of the municipality to be served under the application. The advisory committee referred to in this paragraph shall be appointed by the governing body of the municipality served by a local law enforcement agency applicant or by the Commanding Officer of the State Police installation for the jurisdiction to be served in the case of a State law enforcement agency application and shall be fairly representative of the interests of residents and business in the municipality.

(e) Allocation of funds.--The commission shall make available not less than 80% of the State funds appropriated annually for the administration of this section for financial assistance to State and local enforcement agencies for the

1 support of municipal, county or regional crime prevention
2 projects. Said funds shall be used to pay 50% of an individual
3 project's cost, provided such projects are operated under the
4 guidance of a law enforcement officer or other governmental
5 employee having successfully completed those courses of
6 instruction required by the commission. No one project would be
7 eligible to receive more than three years of funding. The
8 remaining 50% of a project's funding must come from local
9 resources, except that the commission may lower this requirement
10 where the crime prevention program is part of a local economic
11 development initiative and a lower match is deemed necessary for
12 project implementation. Individual counties or groups of
13 counties acting in concert may apply for funding to support
14 countywide or regional crime prevention plans.

15 (f) Commission use of funds.--The commission may retain the
16 balance of the State funds appropriated annually for the
17 operation of a centralized crime prevention program and
18 administration of the financial assistance requirements
19 contained in this section.

20 (g) Grant administration.--Grants of financial assistance
21 made under this section shall be subject to the provisions of
22 section 3(4) and (5).

23 Section 4. This act shall take effect July 1, 1989.