

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1463 Session of
1985

INTRODUCED BY CIMINI, JUNE 19, 1985

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 19, 1985

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for the
3 public availability of the law enforcement records of certain
4 children.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 6308(b) of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 6308. Law enforcement records.

10 * * *

11 (b) Public availability.--

12 (1) The contents of law enforcement records and files
13 concerning a child shall not be disclosed to the public
14 except if the child is 14 or more years of age at the time of
15 the alleged conduct and if:

16 (i) the child has been adjudicated delinquent by a
17 court as a result of an act or acts which include the
18 elements of [rape,] kidnapping, murder, robbery, arson,

burglary or other act involving the use of or threat of serious bodily harm; [or]

(ii) a petition alleging delinquency has been filed by a law enforcement agency alleging that the child has committed an act or acts which include the elements of [rape,] kidnapping, murder, robbery, arson, burglary or other act involving the use of or threat of serious bodily harm and the child previously has been adjudicated delinquent by a court as a result of an act or acts which included the elements of one of such crimes[.];

(iii) a petition alleging delinquency has been filed by a law enforcement agency alleging that the child has committed an act which includes the elements of rape or involuntary deviate sexual intercourse; or

(iv) the child has, on three separate occasions, been adjudicated a delinquent by a court.

(2) If the conduct of the child meets the requirements for disclosure as set forth in paragraph (1), then the court or law enforcement agency, as the case may be, shall [disclose] publish the name, age and address the child, the offenses charged and the disposition of the case. The master or judge who adjudicates a child delinquent shall specify the particular offenses and counts thereof which the child is found to have committed and such information shall be inserted on any law enforcement records or files disclosed to the public as provided for in this section.

* * *

Section 2. This act shall take effect in 60 days.