

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 109 Session of  
1993

INTRODUCED BY KUKOVICH, DENT, DeWEESE, LEDERER, MIHALICH, BLAUM,  
GORDNER, BELARDI, LAUB, HALUSKA, CAWLEY, M. N. WRIGHT,  
NAILOR, PHILLIPS, PETRARCA, KREBS, STURLA, KING, HERMAN,  
TRELLO, COLAIZZO, COY, CESSAR, LESCOVITZ, FARGO, ROONEY,  
VAN HORNE, OLASZ, MARKOSEK, RUDY, BEBKO-JONES, KENNEY,  
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LEVDANSKY, BELFANTI, MUNDY, TANGRETTI, DALEY, LAUGHLIN, FAJT,  
PISTELLA, CAPPABIANCA, BUXTON, GEIST, STABACK, CURRY,  
FREEMAN, BATTISTO, GIGLIOTTI, RAYMOND, PRESTON AND KASUNIC,  
JANUARY 27, 1993

REFERRED TO COMMITTEE ON RULES, JANUARY 27, 1993

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;

17 (b) crime and delinquency are complex social phenomena

1 requiring the attention and efforts of the criminal justice  
2 system, State and local governments, and private citizens alike;

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

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

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

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

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

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

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

28 Section 1. Definitions.

29 The following words and phrases when used in this act shall  
30 have, unless the context clearly indicates otherwise, the

1 meanings given to them in this section:

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

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

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

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

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

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

29 "Private citizen." An individual who is not an elected or  
30 appointed official in a branch of government of the United

1 States, the Commonwealth or a political subdivision.

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

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

5 Section 3.1. Duties of commission relative to crime prevention.

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

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

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

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

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

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

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

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

27 Section 3.2. Crime prevention financial assistance.

28 (a) Applications.--The commission shall solicit and receive  
29 applications from local law enforcement agencies for financial  
30 assistance to implement crime prevention programs and allocate

1 State funds to applicants in accordance with the provisions of  
2 applicable statutes and regulations.

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

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

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

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

26 (3) A description of the nature and extent of  
27 participation by persons representing the business community  
28 in the proposed activities and a specification of those  
29 proposed activities which are intended to have an impact upon  
30 crimes affecting the local business community.

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

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

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

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

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

26       (e) Allocation of funds.--The commission shall make  
27       available not less than 80% of the State funds appropriated  
28       annually for the administration of this section for financial  
29       assistance to State and local enforcement agencies for the  
30       support of municipal, county or regional crime prevention

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

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

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

22 Section 4. This act shall take effect July 1, 1993.