

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 312

Session of
1983

INTRODUCED BY HOFFEL, PICCOLA, BLAUM AND JAROLIN, MARCH 1, 1983

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 8, 1983

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; providing for
7 technical and financial assistance to law enforcement
8 agencies; and making an appropriation.

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

20 (c) the establishment of appropriate goals, objectives and

1 standards for the reduction of crime and delinquency and for the
2 administration of justice must be a priority concern;

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

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

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

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

18 (h) it is in the public interest for the Commonwealth to
19 establish a central crime prevention program to provide
20 leadership and technical and financial assistance to police
21 agencies to develop and maintain community crime prevention
22 initiatives.

23 Section 2. Section 1 of the act is amended by adding
24 definitions to read:

25 Section 1. Definitions.

26 The following words and phrases when used in this act shall
27 have, unless the context clearly indicates otherwise, the
28 meanings given to them in this section:

29 * * *

30 "Crime prevention." The elimination or reduction of the

opportunity for criminal activity through the initiatives of agencies of local and State government undertaken in cooperation with members of the public.

"GOVERNING BODY." THE COUNCIL IN CITIES, BOROUGHS AND INCORPORATED TOWNS, THE BOARD OF COMMISSIONERS IN TOWNSHIPS OF THE FIRST CLASS, THE BOARD OF SUPERVISORS IN TOWNSHIPS OF THE SECOND CLASS, THE LEGISLATIVE POLICYMAKING BODY IN COUNTIES AND HOME RULE MUNICIPALITIES OR OTHER GENERAL PURPOSE UNITS OF GOVERNMENT WHICH MAY BE CREATED BY THE GENERAL ASSEMBLY, INCLUDING COUNCILS OF GOVERNMENT ORGANIZED PURSUANT TO THE ACT OF JULY 12, 1972 (P.L.762, NO.180), REFERRED TO AS THE INTERGOVERNMENTAL COOPERATION LAW.

"Local law enforcement agency." A police department created by a municipality pursuant to statute.

"MUNICIPALITY." EVERY CITY, BOROUGH, COUNTY, INCORPORATED TOWN, TOWNSHIP AND HOME RULE MUNICIPALITY OR OTHER GENERAL PURPOSE UNIT OF GOVERNMENT WHICH MAY BE CREATED BY THE GENERAL ASSEMBLY, INCLUDING COUNCILS OF GOVERNMENT ORGANIZED PURSUANT TO THE ACT OF JULY 12, 1972 (P.L.762, NO.180), REFERRED TO AS THE INTERGOVERNMENTAL COOPERATION LAW.

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

Section 3. The act is amended by adding sections to read:
Section 3.1. Duties of the commission relative to crime prevention.

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

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

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

1 (3) To develop, coordinate and administer basic and
2 specialized crime prevention related training programs for
3 State and local law enforcement agency personnel on current
4 issues and techniques in the field of crime prevention.

5 (4) To provide leadership and on-site technical
6 assistance services to State agencies and local law
7 enforcement agencies in developing and implementing crime
8 prevention programs.

9 (5) To design, develop and make available to State
10 agencies and local law enforcement agencies the current
11 literature, publications and basic tools appropriate for the
12 effective implementation of crime prevention programs.

13 (6) To promote the involvement of community
14 organizations in the development and implementation of crime
15 prevention programs.

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

19 Section 3.2. Crime prevention financial assistance.

20 (a) Applications.--The commission shall solicit and receive
21 applications from local law enforcement agencies for financial
22 assistance to implement crime prevention programs and allocate
23 State funds to such applicants in accordance with the provisions
24 of applicable statutes and regulations.

25 (b) State Police applications.--The Pennsylvania State
26 Police may apply for and receive financial assistance under the
27 provisions of this section for the implementation of crime
28 prevention programs in:

29 (1) an area of the Commonwealth for which the State
30 Police serves as the principal law enforcement agency; or

1 (2) a municipality for which the chief of the local law
2 enforcement agency has made a written request to the State
3 Police to provide the principal coverage for crime prevention
4 services.

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

13 (1) A description of the types of crime prevention
14 activities proposed to be conducted by the applicant and a
15 specification of the nature and extent of the direct
16 participation of community organizations in the proposed
17 activities.

18 (2) A description of the nature and extent of
19 participation by persons representing the business community
20 in the proposed activities and a specification of those
21 proposed activities which are intended to have an impact upon
22 those crimes affecting the local business community.

23 (3) A specific identification of the nature and types of
24 crimes upon which the proposed activities are intended to
25 impact and the level of impact the activities are projected
26 to achieve.

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

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

1 unless:

2 (1) the application has been duly authorized and
3 approved in writing by the ~~chief executive officer~~ GOVERNING <—
4 BODY of the municipality served by a local law enforcement
5 agency applicant or by the Commissioner of the State Police
6 in the case of a State law enforcement agency application;
7 and

8 (2) the application has been reviewed and commented upon
9 by an advisory committee composed of not less than ten
10 residents of the municipality to be served under the
11 application. The advisory committee referred to in this
12 paragraph shall be appointed by the ~~chief executive officer~~ <—
13 GOVERNING BODY of the municipality served by a local law <—
14 enforcement agency applicant or by the Commanding Officer of
15 the State Police installation for the jurisdiction to be
16 served in the case of a State law enforcement agency
17 application and shall be fairly representative of the
18 interests of residents and business in the municipality.

19 (e) Allocation of funds.--The commission shall make
20 available not less than 80% of the State funds appropriated
21 annually for the administration of this section for financial
22 assistance to State and local law enforcement agencies for the
23 payment of up to 50% of the salaries of employees of such
24 agencies, but not fringe benefits, overtime compensation or
25 bonuses, for a period not to exceed two years, provided such
26 employees:

27 (1) are assigned responsibility on a full-time basis for
28 developing and implementing crime prevention programs as
29 defined in this section in cooperation with community
30 residents and businessmen; and

1 (2) have satisfactorily completed courses of instruction
2 required by the commission and have been certified by the
3 commission as crime prevention program specialists.

4 (f) Commission use of funds.--The commission may retain the
5 balance of the State funds appropriated annually for the
6 administration of this section for the following purposes:

7 (1) To pay the costs of the commission's crime
8 prevention training programs.

9 (2) To underwrite the commission's procurement and
10 distribution of crime prevention related training materials
11 and technical equipment to State and local law enforcement
12 agencies, but the commission may require each such agency to
13 pay up to 50% of the cost of materials and equipment
14 furnished to it at its request.

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

18 Section 4. The sum of \$600,000, or as much thereof as may be
19 necessary, is hereby specifically appropriated to the
20 Pennsylvania Commission on Crime and Delinquency, for the fiscal
21 year July 1, 1983 to June 30, 1984, to carry out the provisions
22 of this act.

23 Section 5. This act shall take effect July 1, 1983.