

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1330 Session of
1995

INTRODUCED BY PERZEL, MARCH 27, 1995

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 27, 1995

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for law
3 enforcement in relation to certain juveniles.

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

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

8 § 6308. Law enforcement records.

9 * * *

10 (b) Public availability.--

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

15 (i) The child has been adjudicated delinquent by a
16 court as a result of an act or acts which include the
17 elements of rape, kidnapping, murder, robbery, arson,
18 burglary, violation of section 13(a)(30) of the act of

1 April 14, 1972 (P.L.233, No.64), known as The Controlled
2 Substance, Drug, Device and Cosmetic Act, or other act
3 involving the use of or threat of serious bodily harm.

4 (ii) A petition alleging delinquency has been filed
5 by a law enforcement agency alleging that the child has
6 committed an act or acts which include the elements of
7 rape, kidnapping, murder, robbery, arson, burglary,
8 violation of section 13(a)(30) of The Controlled
9 Substance, Drug, Device and Cosmetic Act, or other act
10 involving the use of or threat of serious bodily harm and
11 the child previously has been adjudicated delinquent by a
12 court as a result of an act or acts which included the
13 elements of one of such crimes.

14 (iii) The child is a dangerous juvenile offender.

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

25 (3) Notwithstanding any provision of this section, the
26 contents of law enforcement records and files concerning any
27 child adjudicated delinquent for the commission of any felony
28 shall be open to public inspection.

29 * * *

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