

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 81

Session of  
1987

INTRODUCED BY KUKOVICH, MAYERNIK, SCHULER, J. L. WRIGHT,  
JOHNSON, RYBAK, J. TAYLOR, COY, PHILLIPS, CARN, TRELLO,  
KOSINSKI, COWELL, VEON, DOMBROWSKI, MAIALE, TIGUE, SWEET,  
STABACK, CARLSON, VAN HORNE, BATTISTO, RAYMOND, MORRIS,  
PISTELLA, PRESTON, GEIST, EVANS, LEVDANSKY, REBER, DALEY,  
FREEMAN, CAWLEY, FATTAH, FISCHER, DISTLER, FOX, BALDWIN,  
CAPPABIANCA, BLAUM, ITKIN, PRESTON, BORTNER, GANNON,  
COLAFELLA, HERMAN, MRKONIC, PETRARCA, LANGTRY, SEVENTY, BUNT,  
LaGROTTA, MARKOSEK, STEVENS, RITTER AND NAHILL, FEBRUARY 2,  
1987

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 2, 1987

### 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

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 police to combat the incidence of crime  
17 are enhanced substantially when communities take steps to reduce  
18 the opportunity for crime through effective police leadership in  
19 crime prevention planning, public education and the responsible  
20 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 police  
24 agencies to develop and maintain community crime prevention  
25 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 "Commission." The Pennsylvania Commission on Crime and  
3 Delinquency.

4 "Crime prevention." The elimination or reduction of the  
5 opportunity for criminal activity through the initiatives of  
6 agencies of local and State government undertaken in cooperation  
7 with members of the public.

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

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

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

25 "Private citizen." An individual who is not an elected or  
26 appointed official in a branch of government of the United  
27 States, the Commonwealth or a political subdivision.

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

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

1 Section 3.1. Duties of the commission relative to crime  
2 prevention.

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

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

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

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

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

16 (5) To design, develop and make available to State  
17 agencies and local law enforcement agencies the current  
18 literature, publications and basic tools appropriate for the  
19 effective implementation of crime prevention programs.

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

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

26 Section 3.2. Crime prevention financial assistance.

27 (a) Applications.--The commission shall solicit and receive  
28 applications from local law enforcement agencies for financial  
29 assistance to implement crime prevention programs and allocate  
30 State funds to such applicants in accordance with the provisions

1 of applicable statutes and regulations.

2 (b) State Police applications.--The Pennsylvania State  
3 Police may apply for and receive financial assistance under the  
4 provisions of this section for the implementation of crime  
5 prevention programs in:

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

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

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

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

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

30 (3) 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.

(4) 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 law enforcement agencies for the payment of up to 50% of the salaries of employees of such agencies, but not fringe benefits, overtime compensation or

bonuses, for a period not to exceed two years, provided such employees:

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

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

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

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

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

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

Section 4. The sum of \$600,000, or as much thereof as may be necessary, is hereby specifically appropriated to the Pennsylvania Commission on Crime and Delinquency for the fiscal year July 1, 1987, to June 30, 1988, to carry out the provisions of this act.

Section 5. This act shall take effect July 1, 1987.