

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 558 Session of  
1993

INTRODUCED BY TRICH, KUKOVICH, VEON, LAUGHLIN, MELIO, PRESTON,  
FLICK, PESCI, McCALL, ULIANA, HERMAN, RAYMOND, STURLA,  
BELFANTI, FREEMAN, CORRIGAN, GERLACH, BATTISTO, DeLUCA,  
DALEY, BUNT, MUNDY, GIGLIOTTI, TRELLO, HALUSKA, HARLEY,  
CURRY, J. TAYLOR, PISTELLA, SAYLOR, KIRKLAND, WOZNIAK,  
ROONEY, JOSEPHS, HUGHES AND STEELMAN, MARCH 15, 1993

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 15, 1993

AN ACT

1 Requiring police departments to adopt and follow a domestic  
2 violence response policy.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Domestic  
7 Violence Response Policy Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Domestic violence." The occurrence of one or more of the  
13 following acts between family or household members, sexual or  
14 intimate partners or persons who share biological parenthood:

15 (1) Attempting to cause or intentionally, knowingly or  
16 recklessly causing bodily injury, serious bodily injury,

1 rape, spousal sexual assault or involuntary deviate sexual  
2 intercourse with or without a deadly weapon.

3 (2) Placing by physical menace another in fear of  
4 imminent serious bodily injury.

5 (3) The infliction of false imprisonment pursuant to 18  
6 Pa.C.S. § 2903 (relating to false imprisonment).

7 (4) Physically or sexually abusing minor children, as  
8 defined in 23 Pa.C.S. Ch. 63 (relating to child protective  
9 services).

10 "Police department." Any public agency of a political  
11 subdivision having general police powers and charged with making  
12 arrests in connection with the enforcement of the criminal laws.

13 "Police officer." Any full-time or part-time employee of a  
14 city, borough, town, township or county police department  
15 assigned to criminal law enforcement duties. The term does not  
16 include persons employed to check parking meters or auxiliary or  
17 fire police.

18 Section 3. Domestic violence response policy required.

19 (a) Requirement imposed.--Each police department in this  
20 Commonwealth shall adopt a written policy establishing  
21 guidelines and policies to be followed by police officers and  
22 related personnel involved in the police response to domestic  
23 violence calls.

24 (b) Model for policy.--The policy adopted under subsection  
25 (a) shall be consistent with the Model Protocol For Police  
26 Response (to) Domestic Violence developed by the Attorney  
27 General's Family Violence Task Force and with 18 Pa.C.S. § 2711  
28 (relating to probable cause arrests in domestic violence cases).

29 Section 4. Adherence to policy.

30 Police officers responding to domestic violence calls shall

1 adhere to the policy adopted by their department under section  
2 3.

3 Section 5. Report required.

4 A police officer who responds to a domestic violence call  
5 shall complete a written report concerning the call.

6 Section 6. Effective date.

7 This act shall take effect immediately.