

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, STEELMAN AND MASLAND, MARCH 15, 1993

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JANUARY 31, 1994

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

1 recklessly causing bodily injury, serious bodily injury,
2 rape, spousal sexual assault or involuntary deviate sexual
3 intercourse with or without a deadly weapon.

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

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

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

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

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

19 Section 3. Domestic violence response policy required.

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

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

30 Section 4. Adherence to policy.

1 Police officers responding to domestic violence calls shall
2 adhere to the policy adopted by their department under section
3 3.

4 Section 5. Report required.

5 ~~A police officer who responds to a domestic violence call~~ <—
6 ~~shall complete a written report concerning the call.~~

7 POLICE OFFICERS WHO RESPOND TO DOMESTIC VIOLENCE CALLS SHALL <—
8 COMPLETE AND SUBMIT WRITTEN REPORTS TO THEIR RESPECTIVE POLICE
9 DEPARTMENTS CONCERNING THE CALLS. THE IDENTITY OF ANY PARTY
10 NAMED IN A REPORT SHALL NOT BE DISCLOSED EXCEPT FOR LAW
11 ENFORCEMENT PURPOSES.

12 Section 6. Effective date.

13 This act shall take effect immediately.