

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 702 Session of
1997

INTRODUCED BY KUKOVICH, BELAN, BODACK, WAGNER, AFFLERBACH,
SCHWARTZ, O'PAKE, COSTA, STAPLETON, WILLIAMS, MUSTO, STOUT,
RHOADES AND KITCHEN, MARCH 13, 1997

REFERRED TO JUDICIARY, MARCH 13, 1997

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 law enforcement to combat the incidence
14 of crime are enhanced substantially when communities take steps
15 to reduce the opportunity for crime through effective police
16 leadership in crime prevention planning, public education and
17 the responsible 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 law
21 enforcement agencies to develop and maintain community crime
22 prevention initiatives.

23 Section 2. Section 1 of the act, amended April 30, 1986
24 (P.L.125, No.38), is amended 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 "Citizens advisory committee." A group of not less than ten
30 private citizens from a municipality whose duty shall be to

1 assist the servicing law enforcement agency in developing its
2 crime prevention program.

3 "Commission." The Pennsylvania Commission on Crime and
4 Delinquency.

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

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

18 "Local law enforcement agency." A law enforcement agency
19 created by a municipality pursuant to statute.

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

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

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

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

2 Section 3.1. Duties of commission relative to crime 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 crime
9 prevention-related training programs for State and local law
10 enforcement agency personnel on current issues and techniques
11 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 assure the design, development and availability
17 of crime prevention materials.

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

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

24 Section 3.2. Crime prevention financial assistance.

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

30 (b) Pennsylvania State Police applications.--The

Pennsylvania State Police may apply for and receive financial assistance under the provisions of this section for crime prevention programs implemented in those areas of the Commonwealth for which the Pennsylvania State Police serves as the principal law enforcement agency.

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

(1) A project plan which includes a goal statement, specific project objectives, a project budget statement, a description of the quantity and type of resource materials needed and a project evaluation methodology.

(2) A description of the types of crime prevention activities proposed to be conducted by the applicant and a specification of the nature and extent of the direct participation of community organizations in the proposed activities.

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

(4) 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

1 to achieve.

2 (5) A description of the geographic area within which
3 the proposed activities will be primarily conducted.

4 (d) Approval of application.--The commission may not approve
5 an application for financial assistance under this section
6 unless:

7 (1) the application has been duly authorized and
8 approved in writing by the governing body of the municipality
9 served by a local law enforcement agency applicant or by the
10 Commissioner of the Pennsylvania State Police in the case of
11 a State law enforcement agency application; and

12 (2) the application has been reviewed and commented upon
13 by an advisory committee composed of not less than ten
14 residents of the municipality to be served under the
15 application. The advisory committee referred to in this
16 paragraph shall be appointed by the governing body of the
17 municipality served by a local law enforcement agency
18 applicant or by the Commanding Officer of the Pennsylvania
19 State Police installation for the jurisdiction to be served
20 in the case of a State law enforcement agency application and
21 shall be fairly representative of the interests of residents
22 and business in the municipality.

23 (e) Allocation of funds.--The commission shall make
24 available not less than 80% of the State funds appropriated
25 annually for the administration of this section for financial
26 assistance to State and local enforcement agencies for the
27 support of municipal, county or regional crime prevention
28 projects. The funds shall be used to pay 50% of an individual
29 project's cost, provided the projects are operated under the
30 guidance of a law enforcement officer or other governmental

1 employee, who has successfully completed those courses of
2 instruction required by the commission. No one project would be
3 eligible to receive more than three years of funding. The
4 remaining 50% of a project's funding shall come from local
5 resources, except that the commission may lower this requirement
6 where the crime prevention program is part of a local economic
7 development initiative and a lower match is deemed necessary for
8 project implementation. Individual counties or groups of
9 counties acting in concert may apply for funding to support
10 countywide or regional crime prevention plans.

11 (f) Commission use of funds.--The commission may retain the
12 balance of the State funds appropriated annually for the
13 operation of a centralized crime prevention program and
14 administration of the financial assistance requirements
15 contained in this section.

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

19 Section 4. The sum of \$250,000, or as much thereof as may be
20 necessary, is hereby specifically appropriated to the
21 Pennsylvania Commission on Crime and Delinquency for the fiscal
22 year July 1, 1997, to June 30, 1998, to carry out the purposes
23 of this act.

24 Section 5. This act shall take effect July 1, 1997.