

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2788** Session of  
1978

INTRODUCED BY CIMINI, REED, FISHER, GOEBEL, SCIRICA, PETERSON,  
E. H. SMITH AND ZELLER, SEPTEMBER 19, 1978

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 19, 1978

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing for the  
3 public availability of the law enforcement records of certain  
4 children.

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

7 Section 1. Section 6308(b) of Title 42, act of November 25,  
8 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated  
9 Statutes, added April 28, 1978 (No.53), is amended to read:

10 § 6308. Law enforcement records.

11 \* \* \*

12 (b) Public availability.--

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

17 (i) the child has been adjudicated delinquent by a  
18 court as a result of an act or acts which include the  
19 elements of [rape,] kidnapping, murder, robbery, arson,

1 burglary or other act involving the use of or threat of  
2 serious bodily harm; [or]

3 (ii) a petition alleging delinquency has been filed  
4 by a law enforcement agency alleging that the child has  
5 committed an act or acts which include the elements of  
6 [rape,] kidnapping, murder, robbery, arson, burglary or  
7 other act involving the use of or threat of serious  
8 bodily harm and the child previously has been adjudicated  
9 delinquent by a court as a result of an act or acts which  
10 included the elements of one of such crimes;

11 (iii) a petition alleging delinquency has been filed  
12 by a law enforcement agency alleging that the child has  
13 committed an act or acts which include the elements of  
14 rape or involuntary deviate sexual intercourse; or

15 (iv) the child has, on three separate occasions been  
16 adjudicated a delinquent by a court.

17 (2) If the conduct of the child meets the requirements  
18 for disclosure as set forth in paragraph (1), then the court  
19 or law enforcement agency, as the case may be, shall  
20 [disclose] publish the name of the child and the nature of  
21 the conduct in question.

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