

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, 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, NAHILL, McHALE, JOSEPHS, DeLUCA,
FREIND, HUGHES, KASUNIC AND TELEK, JANUARY 28, 1987

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 8, 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; AND 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;

1 (b) crime and delinquency are complex social phenomena
2 requiring the attention and efforts of the criminal justice
3 system, State and local governments, and private citizens alike;

4 (c) the establishment of appropriate goals, objectives and
5 standards for the reduction of crime and delinquency and for the
6 administration of justice must be a priority concern;

7 (d) the functions of the criminal justice system must be
8 coordinated more efficiently and effectively;

9 (e) the full and effective use of resources affecting State
10 and local criminal justice systems requires the complete
11 cooperation of State and local government agencies; [and]

12 (f) training, research, evaluation, technical assistance and
13 public education activities must be encouraged and focused on
14 the improvement of the criminal justice system and the
15 generation of new methods for the prevention and reduction of
16 crime and delinquency[.];

17 (g) the efforts of ~~police~~ LAW ENFORCEMENT to combat the <—
18 incidence of crime are enhanced substantially when communities
19 take steps to reduce the opportunity for crime through effective
20 police leadership in crime prevention planning, public education
21 and the responsible organization of community resources; and

22 (h) it is in the public interest for the Commonwealth to
23 establish a central crime prevention program to provide
24 leadership and technical and financial assistance to ~~police~~ LAW <—
25 ENFORCEMENT agencies to develop and maintain community crime
26 prevention initiatives.

27 Section 2. Section 1 of the act, amended April 30, 1986
28 (P.L.125, No.38), is amended to read:

29 Section 1. Definitions.

30 The following words and phrases when used in this act shall

1 have, unless the context clearly indicates otherwise, the
2 meanings given to them in this section:

3 "CITIZENS ADVISORY COMMITTEE." A GROUP OF NOT LESS THAN TEN <—
4 PRIVATE CITIZENS FROM A MUNICIPALITY WHOSE DUTY SHALL BE TO
5 ASSIST THE SERVICING LAW ENFORCEMENT AGENCY IN DEVELOPING ITS
6 CRIME PREVENTION PROGRAM.

7 "Commission." The Pennsylvania Commission on Crime and
8 Delinquency.

9 "Crime prevention." The elimination or reduction of the
10 opportunity for criminal activity through the initiatives of
11 agencies of local and State government undertaken in cooperation
12 with members of the public.

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

22 "Local law enforcement agency." A ~~police department~~ LAW <—
23 ENFORCEMENT AGENCY created by a municipality pursuant to
24 statute.

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

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

4 "State law enforcement agency." The Pennsylvania State
5 Police.

6 Section 3. The act is amended by adding sections to read:
7 Section 3.1. Duties of the commission relative to crime
8 prevention.

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

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

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

14 (3) To develop, coordinate and administer ~~basic and~~ <—
15 ~~specialized~~ crime prevention-related training programs for
16 State and local law enforcement agency personnel on current
17 issues and techniques in the field of crime prevention.

18 (4) To provide leadership and on-site technical
19 assistance services to State agencies and local law
20 enforcement agencies in developing and implementing crime
21 prevention programs.

22 ~~(5) To design, develop and make available to State~~ <—
23 ~~agencies and local law enforcement agencies the current~~
24 ~~literature, publications and basic tools appropriate for the~~
25 ~~effective implementation of crime prevention programs.~~

26 (5) TO ASSURE THE DESIGN, DEVELOPMENT AND AVAILABILITY <—
27 OF CRIME PREVENTION MATERIALS.

28 (6) To promote the involvement of community
29 organizations in the development and implementation of crime
30 prevention programs.

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

4 Section 3.2. Crime prevention financial assistance.

5 (a) Applications.--The commission shall solicit and receive
6 applications from local law enforcement agencies for financial
7 assistance to implement crime prevention programs and allocate
8 State funds to such applicants in accordance with the provisions
9 of applicable statutes and regulations.

10 ~~(b) State Police applications. The Pennsylvania State~~ <—
11 ~~Police may apply for and receive financial assistance under the~~
12 ~~provisions of this section for the implementation of crime~~
13 ~~prevention programs in:~~

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

16 ~~(2) a municipality for which the chief of the local law~~
17 ~~enforcement agency has made a written request to the State~~
18 ~~Police to provide the principal coverage for crime prevention~~
19 ~~services.~~

20 (B) STATE POLICE APPLICATIONS.--THE PENNSYLVANIA STATE <—
21 POLICE MAY APPLY FOR AND RECEIVE FINANCIAL ASSISTANCE UNDER THE
22 PROVISIONS OF THIS SECTION FOR CRIME PREVENTION PROGRAMS
23 IMPLEMENTED IN THOSE AREAS OF THE COMMONWEALTH FOR WHICH THE
24 STATE POLICE SERVES AS THE PRINCIPAL LAW ENFORCEMENT AGENCY.

25 (c) Assurances and plan.--An application for financial
26 assistance under the provisions of this section shall contain
27 assurances that the applicant will submit semiannual reports on
28 the progress of its crime prevention activities and will comply
29 with such other requirements that the commission may reasonably
30 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.

~~(1)~~ (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.

~~(2)~~ (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 those crimes affecting the local business community.

~~(3)~~ (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 to achieve.

~~(4)~~ (5) 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

1 (2) the application has been reviewed and commented upon
2 by an advisory committee composed of not less than ten
3 residents of the municipality to be served under the
4 application. The advisory committee referred to in this
5 paragraph shall be appointed by the governing body of the
6 municipality served by a local law enforcement agency
7 applicant or by the Commanding Officer of the State Police
8 installation for the jurisdiction to be served in the case of
9 a State law enforcement agency application and shall be
10 fairly representative of the interests of residents and
11 business in the municipality.

12 ~~(c) Allocation of funds. The commission shall make~~ <—
13 ~~available not less than 80% of the State funds appropriated~~
14 ~~annually for the administration of this section for financial~~
15 ~~assistance to State and local law enforcement agencies for the~~
16 ~~payment of up to 50% of the salaries of employees of such~~
17 ~~agencies, but not fringe benefits, overtime compensation or~~
18 ~~bonuses, for a period not to exceed two years, provided such~~
19 ~~employees:~~

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

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

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

30 ~~(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.~~

(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 ENFORCEMENT AGENCIES FOR THE SUPPORT OF MUNICIPAL, COUNTY OR REGIONAL CRIME PREVENTION PROJECTS. SAID FUNDS SHALL BE USED TO PAY 50% OF AN INDIVIDUAL PROJECT'S COST, PROVIDED SUCH PROJECTS ARE OPERATED UNDER THE GUIDANCE OF A LAW ENFORCEMENT OFFICER OR OTHER GOVERNMENTAL EMPLOYEE HAVING SUCCESSFULLY COMPLETED THOSE COURSES OF INSTRUCTION REQUIRED BY THE COMMISSION. NO ONE PROJECT WOULD BE ELIGIBLE TO RECEIVE MORE THAN THREE YEARS' OF FUNDING. THE REMAINING 50% OF A PROJECT'S FUNDING MUST COME FROM LOCAL RESOURCES, EXCEPT THAT THE COMMISSION MAY LOWER THIS REQUIREMENT WHERE THE CRIME PREVENTION PROGRAM IS PART OF A LOCAL ECONOMIC DEVELOPMENT INITIATIVE AND A LOWER MATCH IS DEEMED NECESSARY FOR PROJECT IMPLEMENTATION. INDIVIDUAL COUNTIES OR GROUPS OF COUNTIES ACTING IN CONCERT MAY APPLY FOR FUNDING TO SUPPORT COUNTYWIDE OR REGIONAL CRIME PREVENTION PLANS.

(F) COMMISSION USE OF FUNDS.--THE COMMISSION MAY RETAIN THE BALANCE OF THE STATE FUNDS APPROPRIATED ANNUALLY FOR THE OPERATION OF A CENTRALIZED CRIME PREVENTION PROGRAM AND ADMINISTRATION OF THE FINANCIAL ASSISTANCE REQUIREMENTS CONTAINED IN THIS SECTION.

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

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

9 Section 5 4. This act shall take effect July 1, 1987. <—