

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 599 Session of
1995

INTRODUCED BY BISHOP, FAIRCHILD, LAUGHLIN, BELFANTI, PESCI,
HERMAN, TRELLO, WAUGH, MIHALICH, DeLUCA, BROWNE, TIGUE,
BATTISTO, ROONEY, FAJT, ROEBUCK, KENNEY AND BELARDI,
FEBRUARY 7, 1995

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 7, 1995

AN ACT

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

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

6 Section 1. Section 6308(a) of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 6308. Law enforcement records.

9 (a) General rule.--Except as provided in section 6309
10 (relating to juvenile history record information), the law
11 enforcement records and files concerning a child shall be kept
12 separate from the records and files of arrests of adults. Unless
13 a charge of delinquency is transferred for criminal prosecution
14 under section 6355 (relating to transfer to criminal
15 proceedings), the interest of national security requires, or the
16 court otherwise orders in the interest of the child, the records
17 and files shall not be open to public inspection or their

1 contents disclosed to the public except as provided in
2 subsection (b); but inspection of the records and files is
3 permitted by:

4 (1) The court having the child before it in any
5 proceeding.

6 (2) Counsel for a party to the proceeding.

7 (3) The officers of institutions or agencies to whom the
8 child is committed.

9 (4) Law enforcement officers of other jurisdictions when
10 necessary for the discharge of their official duties.

11 (5) A court in which the child is convicted of a
12 criminal offense for the purpose of a presentence report or
13 other dispositional proceeding, or by officials of penal
14 institutions and other penal facilities to which he is
15 committed, or by a parole board in considering his parole or
16 discharge or in exercising supervision over him.

17 (6) Officials of a public, private or parochial school
18 in which a child is placed after serving a period of
19 incarceration. The court or official responsible for the
20 placement of the child in the school shall provide the school
21 officials with a copy of the child's law enforcement records
22 and files prior to the child's placement in the school.

23 * * *

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