

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 668 Session of
2003

INTRODUCED BY COSTA, MELLOW, LOGAN, WAGNER, KUKOVICH, O'PAKE,
KITCHEN, BOSCOLA, SCHWARTZ, STOUT, WAUGH, PILEGGI, WOZNIAK,
C. WILLIAMS AND KASUNIC, APRIL 24, 2003

AS AMENDED ON THIRD CONSIDERATION, JUNE 15, 2004

AN ACT

1 Establishing a uniform crime reporting program; requiring all
2 county and municipal law enforcement agencies to report
3 certain information occurring within the respective
4 jurisdictions; imposing duties on the Pennsylvania Commission
5 on Crime and Delinquency; and authorizing the Pennsylvania
6 State Police to collect and gather information on crime and
7 make annual reports.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Short title.

11 This act shall be known and may be cited as the Pennsylvania
12 Uniform Crime Reporting Act.

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 ~~"Act." The Pennsylvania Uniform Crime Reporting Act.~~ <—

18 "Pennsylvania Uniform Crime Reporting (UCR) Program." A
19 program established by law which provides a ~~Statewide view of~~ <—
20 STATEWIDE INFORMATION ON crime trends and volume based on the <—

1 ~~contribution~~ REPORTING of statistics by law enforcement agencies <—
2 throughout this Commonwealth.

3 "Pennsylvania Uniform Crime Reporting System" or "PAUCRS." A
4 ~~Web~~ WORLD Wide Web-based data collection and dissemination <—
5 system used to facilitate operation of the Pennsylvania Uniform
6 Crime Reporting Program.

7 ~~"State, county and local law enforcement agencies." The~~ <—
8 ~~Pennsylvania State Police and any city, borough, town, township~~
9 "STATE, COUNTY AND LOCAL LAW ENFORCEMENT AGENCIES." <—

10 (1) THE PENNSYLVANIA STATE POLICE; AND

11 (2) ANY CITY, BOROUGH, TOWN, TOWNSHIP or county police
12 agency or organization that possesses general police powers
13 and is charged with making arrests in connection with the
14 enforcement of criminal or traffic laws and employs law
15 enforcement officers duly certified under the former act of
16 June 18, 1974 (P.L.359, No.120), referred to as the Municipal
17 Police Education and Training Law, or 53 Pa.C.S. Ch. 21
18 Subch. D (relating to Municipal Police Education and
19 Training).

20 Section 3. Establishment of Pennsylvania Uniform Crime
21 Reporting Program.

22 (a) Program.--A Pennsylvania Uniform Crime Reporting Program
23 shall be established under the direction, control and
24 supervision of the Pennsylvania State Police. The Pennsylvania
25 State Police shall have the power and duty to promulgate such
26 rules and regulations pursuant to the act of June 25, 1982
27 (P.L.633, No.181), known as the Regulatory Review Act, as the
28 Pennsylvania State Police may deem necessary, to collect and
29 gather the information from State, county and local law
30 enforcement agencies as may be prescribed in this act.

(b) Notification.--This program shall include a procedure for notifying:

(1) county and local law enforcement agencies that are not compliant with their reporting requirements;

(2) the Administrative Office of Pennsylvania Courts and the Pennsylvania Commission on Crime and Delinquency of the failure of a county or local law enforcement agency to comply with the requirements in section 4 and of the imposition of the penalty provisions contained in subsection (c); and

(3) the Administrative Office of Pennsylvania Courts and the Pennsylvania Commission on Crime and Delinquency when a delinquent county or local law enforcement agency becomes compliant with the requirements of section 4 and is no longer subject to the ~~imposition of the penalty provisions contained~~ in PROVISIONS OF subsection (c).

(c) Penalties.--Any county or local law enforcement agency that fails to comply with the requirements in section 4 within 30 days of the date of the mailing of notification pursuant to subsection (b) shall be ineligible to receive any portion of fines collected and distributed under 42 Pa.C.S. Ch. 35, Subch. E (relating to fines, etc.) or any grant administered by the Pennsylvania Commission on Crime and Delinquency.

(d) Disposition of forfeited funds under subsection (c).-- All funds forfeited under subsection (c) shall be transmitted to the Commonwealth for deposit in the same manner and to the same funds as ~~pursuant to~~ SET FORTH IN 42 Pa.C.S. § 3571 (relating to Commonwealth portion of fines, etc.).

Section 3.1. Collection of penalty.

(a) General rule.--Upon receipt of notice pursuant to section 3(b)(2), the Administrative Office of Pennsylvania

1 Courts shall direct the appropriate courts of jurisdiction to
2 withhold all fines, fees and penalties ~~due the delinquent law~~ <—
3 ~~enforcement agency~~ OTHERWISE DUE TO THE MUNICIPALITY OR COUNTY <—
4 UNDER WHICH THE DELINQUENT LAW ENFORCEMENT AGENCY IS ORGANIZED
5 for the period of noncompliance and shall direct that all such
6 funds shall be deposited in accordance with section 3(d).

7 (b) Grants.--The Pennsylvania Commission on Crime and
8 Delinquency shall, upon receipt of notice pursuant to section
9 3(b)(2), suspend the processing or award of grants to a
10 MUNICIPALITY OR COUNTY UNDER WHICH A delinquent law enforcement <—
11 agency IS ORGANIZED for the period of noncompliance. <—

12 Section 4. Monthly ~~contribution~~ REPORTING. <—

13 All State, county and local law enforcement agencies shall
14 ~~contribute~~ REPORT statistical information related to THE number <—
15 and nature of offenses occurring within their respective
16 jurisdictions, the disposition of such matters, and such other
17 related information as the Pennsylvania State Police may
18 require. Such ~~contributions~~ REPORTS shall be consistent with <—
19 established UCR guidelines, in a manner as prescribed by the
20 Pennsylvania State Police, and shall reflect monthly increments.

21 Section 5. Compilation of statistics.

22 Upon receipt of the information, the Pennsylvania State
23 Police shall have such data collated and ~~formulated~~ FORMATTED <—
24 and shall compile such statistics as the Pennsylvania State
25 Police may deem necessary to present a proper depiction of the
26 nature and volume of crime within this Commonwealth.

27 Section 6. Annual report.

28 The Pennsylvania State Police shall electronically publish an
29 annual report containing results of the information gathered and
30 collated for access by the Governor, the General Assembly, the

1 Attorney General and the public through the PAUCRS.

2 Section 7. Dissemination of law enforcement agency information.

3 Annually, or at SUCH OTHER intervals as requested by the <—
4 Pennsylvania State Police, the Municipal Police Officers'
5 Education and Training Commission shall provide the Pennsylvania
6 State Police with information related to those Pennsylvania law
7 enforcement agencies known to be in existence. Such information
8 shall be correlated with UCR data on file to identify law
9 enforcement agencies ~~with incomplete data~~ WHICH HAVE FAILED TO <—
10 SUBMIT THE REPORTS REQUIRED BY SECTION 4. A listing of such law
11 enforcement agencies shall be included in the annual report. A
12 current listing of such agencies shall also be made available
13 for ~~timely~~ public access through the ~~output reporting~~ <—
14 ~~capabilities of the~~ PAUCRS.

15 Section 8. Repeal.

16 All acts and parts of acts are repealed insofar as they are
17 inconsistent with this act.

18 Section 9. Implementation.

19 Implementation of the provisions of this act ~~by the~~ <—
20 ~~Pennsylvania State Police~~ is contingent upon the availability of
21 funding to facilitate changes as may be required in the
22 Pennsylvania UCR Program and the Pennsylvania Uniform Crime
23 Reporting System.

24 Section 10. Effective date.

25 This act shall take effect in 60 days.