
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 763 Session of
2015

INTRODUCED BY C. PARKER, V. BROWN, KINSEY, J. HARRIS, COHEN,
THOMAS, BROWNLEE, FRANKEL, MURT, ROZZI AND McCARTER,
MARCH 10, 2015

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 2015

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, providing for arrest protocols.

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

5 Section 1. Title 44 of the Pennsylvania Consolidated
6 Statutes is amended by adding a chapter to read:

7 CHAPTER 25

8 ARREST PROTOCOLS

9 Sec.

10 2501. Definitions.

11 2502. Training.

12 2503. Guidelines for identification of minor or dependent
13 children upon arrest.

14 2504. Program responsibilities.

15 § 2501. Definitions.

16 The following words and phrases when used in this chapter
17 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Commission." The Municipal Police Officers' Education and
3 Training Commission.

4 "Department." The Department of Human Services of the
5 Commonwealth.

6 "Law enforcement officer." Any of the following:

7 (1) Member of the Pennsylvania State Police.

8 (2) Municipal police officer as defined in 53 Pa.C.S.
9 Ch. 21 Subch. D (relating to municipal police education and
10 training).

11 (3) Constable and deputy constable as defined in Chapter
12 71 (relating to constables).

13 (4) County sheriff and deputy sheriff.

14 § 2502. Training.

15 A course of training for ensuring child safety upon the
16 arrest of a parent or guardian shall be included in the basic
17 curriculum of each basic training class and as a component of
18 in-service training each year for each law enforcement officer.

19 § 2503. Guidelines for identification of minor or dependent
20 children upon arrest.

21 (a) Inquiry upon arrest.--A law enforcement officer who
22 arrests an individual shall at the time of the arrest inquire as
23 to whether the individual is a parent or guardian of any minor
24 or dependent child whose safety or well-being may be at risk as
25 a result of the arrest. The law enforcement officer shall make
26 reasonable efforts to ensure the safety or well-being of any
27 such child in accordance with the guidelines under subsection
28 (b).

29 (b) Establishment of guidelines.--

30 (1) In consultation with representatives of the county

1 children and youth social service agencies, other social
2 service agencies and organizations, experts and advocacy
3 groups, the Pennsylvania State Police, the commission and the
4 department shall establish guidelines and training programs
5 for law enforcement officers to ensure the safety and well-
6 being of a child upon the arrest of a parent or guardian of
7 the child.

8 (2) The guidelines and training programs shall include:

9 (i) Procedures to ensure that law enforcement
10 officers inquire whether an arrestee has any minor or
11 dependent child who may be present or at another location
12 at the time of the arrest.

13 (ii) Procedures for the proper arrangement of
14 temporary care for children to ensure their safety and
15 well-being.

16 (iii) Education on how the effects of witnessing a
17 violent crime or other event causes emotional trauma to
18 children and how law enforcement officers can assist in
19 mitigating the long-term effects of the trauma.

20 § 2504. Program responsibilities.

21 The Pennsylvania State Police and the commission shall:

22 (1) Use available funds to develop and maintain arrest
23 protocol training programs.

24 (2) Oversee and coordinate the arrest protocol training
25 programs throughout this Commonwealth.

26 (3) Regularly evaluate arrest protocol programs and make
27 modifications as necessary.

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