

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 135 Session of 2011

INTRODUCED BY SABATINA, CALTAGIRONE, CARROLL, P. COSTA, CRUZ, FABRIZIO, HARHAI, JOSEPHS, W. KELLER, KORTZ, MURPHY, MURT, MYERS, M. O'BRIEN, PAYTON, PRESTON, READSHAW, K. SMITH, WATERS AND DAVIDSON, MARCH 17, 2011

SENATOR CORMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, SEPTEMBER 24, 2012

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 further providing FOR DEFINITIONS, for the Pennsylvania ←
7 Commission on Crime and Delinquency, for powers and duties of
8 the commission, for duties of the commission relative to
9 criminal statistics, for duties of public agencies and
10 officers in reporting criminal statistics, for the Juvenile
11 Justice and Delinquency Prevention Committee, for powers and
12 duties of the Juvenile Justice and Delinquency Prevention
13 Committee, for Targeted Community Revitalization and Crime
14 Prevention Advisory Committee and for powers and duties of
15 Targeted Community Revitalization and Crime Prevention
16 Advisory Committee; AND PROVIDING FOR JUSTICE REINVESTMENT ←
17 GRANTS.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. ~~Section 2(b), (c), (c.1), (d) and (l) of the act ←~~
21 ~~of November 22, 1978 (P.L.1166, No.274), referred to as the~~
22 ~~Pennsylvania Commission on Crime and Delinquency Law, amended~~
23 ~~December 17, 1981 (P.L.429, No.134) and June 22, 2001 (P.L.396,~~

1 ~~No.30), are amended and the section is amended by adding a~~
2 ~~subsection to read:~~

3 SECTION 1. SECTION 1 OF THE ACT OF NOVEMBER 22, 1978 ←
4 (P.L.1166, NO.274), REFERRED TO AS THE PENNSYLVANIA COMMISSION
5 ON CRIME AND DELINQUENCY LAW, AMENDED APRIL 30, 1986 (P.L.125,
6 NO.38) AND DECEMBER 6, 2002 (P.L.1180, NO.146), IS AMENDED TO
7 READ:

8 SECTION 1. DEFINITIONS.

9 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
10 HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE
11 MEANINGS GIVEN TO THEM IN THIS SECTION:

12 "COMMISSION." THE PENNSYLVANIA COMMISSION ON CRIME AND
13 DELINQUENCY.

14 "FUND." THE JUSTICE REINVESTMENT FUND ESTABLISHED UNDER
15 SECTION 8.1(A).

16 "INNOVATIVE POLICING." THE TERM SHALL INCLUDE ALL OF THE
17 FOLLOWING:

18 (1) ACTIVITIES TO OBTAIN ACCREDITATION OF MUNICIPAL
19 POLICE DEPARTMENTS.

20 (2) ONLINE TRAINING OF LAW ENFORCEMENT OFFICERS.

21 (3) COUNTY AND REGIONAL LAW ENFORCEMENT DATA-SHARING
22 INITIATIVES.

23 (4) STRATEGIES TO COMBAT CRIME AND GANG ACTIVITY,
24 INCLUDING INTERVENTION, ENFORCEMENT, TECHNOLOGY, ANALYTICAL
25 CAPACITY AND COMMUNITY POLICING.

26 "MID-MINIMUM OFFENDER." AN OFFENDER WHO AT THE TIME OF
27 SENTENCING HAS AT LEAST ONE BUT NOT MORE THAN TWO YEARS
28 REMAINING TO BE SERVED TO REACH THE OFFENDER'S MINIMUM SENTENCE,
29 INCLUDING ANY APPLICABLE RECIDIVISM RISK REDUCTION INCENTIVE
30 MINIMUM SENTENCE IMPOSED.

1 "OFFENDER DIVERSION." EVIDENCE-BASED STRATEGIES TO REDUCE
2 THE NUMBER OF SHORT-MINIMUM AND MID-MINIMUM OFFENDERS COMMITTED
3 TO THE DEPARTMENT OF CORRECTIONS.

4 "PRIVATE CITIZEN." AN INDIVIDUAL WHO IS NOT AN ELECTED OR
5 APPOINTED OFFICIAL IN A BRANCH OF GOVERNMENT OF THE UNITED
6 STATES, THE COMMONWEALTH OR A POLITICAL SUBDIVISION.

7 "SHORT-MINIMUM OFFENDER." AN OFFENDER WHO AT THE TIME OF
8 SENTENCING HAS LESS THAN ONE YEAR REMAINING TO BE SERVED TO
9 REACH THE OFFENDER'S MINIMUM SENTENCE, INCLUDING ANY APPLICABLE
10 RECIDIVISM RISK REDUCTION INCENTIVE MINIMUM SENTENCE IMPOSED.

11 "TARGETED COMMUNITY." A CITY, TOWNSHIP OR MUNICIPALITY
12 CURRENTLY RECEIVING FUNDING FROM THE PENNSYLVANIA COMMISSION ON
13 CRIME AND DELINQUENCY TO PROVIDE SUPPORT TO LAW ENFORCEMENT AND
14 COMMUNITY PARTNERSHIPS TO DEVELOP COMPREHENSIVE, TARGETED CRIME
15 PREVENTION EFFORTS AND A PLANNING PROCESS FOR THE REVITALIZATION
16 OF HIGH-CRIME AND DISTRESSED COMMUNITIES; A CITY, TOWNSHIP OR
17 MUNICIPALITY DESIGNATED BY THE COMMISSION TO RECEIVE SUCH
18 FUNDING; OR A CITY, TOWNSHIP OR MUNICIPALITY ELIGIBLE TO SEEK
19 SUCH FUNDING FROM THE COMMISSION UNDER CRITERIA DEVELOPED BY THE
20 TARGETED COMMUNITY REVITALIZATION AND CRIME PREVENTION ADVISORY
21 COMMITTEE.

22 SECTION 1.1. SECTION 2(B), (C), (C.1), (D), (E), (L) AND (M)
23 OF THE ACT, AMENDED DECEMBER 17, 1981 (P.L.429, NO.134), APRIL
24 30, 1986 (P.L.125, NO.38) AND JUNE 22, 2001 (P.L.396, NO.30),
25 ARE AMENDED TO READ:

26 Section 2. Pennsylvania Commission on Crime and Delinquency.

27 * * *

28 (b) Composition.--The commission shall consist of the
29 following members:

30 (1) The Attorney General.

1 (2) [~~The Chief Justice of the Supreme Court of~~ ←
2 Pennsylvania] A JUSTICE OF THE SUPREME COURT OF PENNSYLVANIA ←
3 OR A JUDGE OF THE SUPERIOR COURT OF PENNSYLVANIA.

4 (3) The Court Administrator of Pennsylvania.

5 (4) A judge of a court of common pleas, ~~appointed under~~ ←
6 ~~subsection (c).~~

7 (5) Commissioner of State Police.

8 (6) The majority chairmen of the House and Senate
9 [Majority] Appropriations Committees.

10 (7) The chairman of the Juvenile Justice and Delinquency
11 Prevention Committee.

12 (8) Four members of the General Assembly, of whom one
13 shall be designated by, and serve at the pleasure of the
14 President pro tempore of the Senate, one by the Minority
15 Leader of the Senate, one by the Speaker of the House of
16 Representatives and one by the Minority Leader of the House
17 of Representatives.

18 (9) Seven members appointed by the Governor, one
19 representative of local law enforcement agencies, one
20 representative of local correctional facilities, one
21 representative of local elected officials, one district
22 attorney representative, one representative of county
23 sheriffs, one representative of a local victims' service
24 agency and one representative of county commissioners.

25 [(10) Seven private citizens appointed by the Governor, ←
26 at least two of which serve on the Juvenile Justice and
27 Delinquency Prevention Committee.] ←

28 (11) Secretary of Corrections.

29 (12) The Victim Advocate.

30 (13) Secretary of Public Welfare.

- 1 (14) Secretary of Education.
2 (15) Secretary of Health.
3 (16) Chairman of the Board of Probation and Parole.
4 (17) Executive Director of the Juvenile Court Judges'
5 Commission.

6 (17.1) Executive Director of the Pennsylvania Commission
7 on Sentencing.

8 (17.2) SECRETARY OF DRUG AND ALCOHOL PROGRAMS. ←

9 (18) Such additional members appointed by the Governor
10 as are necessary to implement programs authorized by State
11 and Federal law.

12 ~~(c) Judicial [appointment] appointments.~~ ←

13 ~~(1) The judge of a court of common pleas shall be~~
14 ~~appointed by the Governor from a list of no less than three~~
15 ~~nominees for each position submitted by the Chief Justice.~~

16 ~~(2) If the Chief Justice cannot or does not choose to~~
17 ~~serve, an Associate Justice of the Supreme Court of~~
18 ~~Pennsylvania shall be appointed by the Governor from a list~~
19 ~~of no less than three nominees submitted by the Chief~~
20 ~~Justice.~~

21 ~~(3) If the Court Administrator cannot or does not choose~~
22 ~~to serve, another appropriate judicial administrative officer~~
23 ~~of the State shall be appointed by the Governor from a list~~
24 ~~of no less than three nominees submitted by the Chief~~
25 ~~Justice.~~

26 (C) JUDICIAL [APPOINTMENT] APPOINTMENTS.--[THE JUDGE OF A ←
27 COURT OF COMMON PLEAS SHALL BE APPOINTED BY THE GOVERNOR FROM A
28 LIST OF NO LESS THAN THREE NOMINEES FOR EACH POSITION SUBMITTED
29 BY THE CHIEF JUSTICE. IF THE CHIEF JUSTICE CANNOT OR DOES NOT
30 CHOOSE TO SERVE, AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF

1 PENNSYLVANIA SHALL BE APPOINTED BY THE GOVERNOR FROM A LIST OF
2 NO LESS THAN THREE NOMINEES SUBMITTED BY THE CHIEF JUSTICE. IF
3 THE COURT ADMINISTRATOR CANNOT OR DOES NOT CHOOSE TO SERVE,
4 ANOTHER APPROPRIATE JUDICIAL ADMINISTRATIVE OFFICER OF THE STATE
5 SHALL BE APPOINTED BY THE GOVERNOR FROM A LIST OF NO LESS THAN
6 THREE NOMINEES SUBMITTED BY THE CHIEF JUSTICE.]

7 (1) THE JUDGE OF A COURT OF COMMON PLEAS SHALL BE
8 APPOINTED BY THE CHIEF JUSTICE.

9 (2) THE CHIEF JUSTICE SHALL APPOINT A JUSTICE OF THE
10 SUPREME COURT OF PENNSYLVANIA OR A JUDGE OF THE SUPERIOR
11 COURT OF PENNSYLVANIA.

12 (3) IF THE COURT ADMINISTRATOR CANNOT SERVE, THE CHIEF
13 JUSTICE SHALL APPOINT ANOTHER APPROPRIATE JUDICIAL
14 ADMINISTRATIVE OFFICER OF THE STATE.

15 [(c.1) Appropriations chairmen alternates.--The chairman of
16 the House Majority Appropriations Committee and the chairman of
17 the Senate Majority Appropriations Committee may authorize, in
18 writing, a named member of the committee to serve in his stead
19 on the commission.]

20 ~~(c.2) Delegates. The Attorney General, Chief Justice, judge~~ ←
21 ~~of a court of common pleas and any member of the Cabinet or the~~
22 ~~General Assembly who is a member of the commission may delegate~~
23 ~~one of their employees to represent the member at meetings of~~
24 ~~the commission, who may lawfully vote and otherwise act on~~
25 ~~behalf of the member. The delegation must be in writing and~~
26 ~~delivered to the chairman prior to the start of the meeting.~~

27 (d) Term of office.--[Except for the Attorney General, the
28 Chief Justice, Court Administrator of Pennsylvania courts and
29 Commissioner of the Pennsylvania State Police, Commissioner of
30 Correction, the chairmen of the House and Senate Majority

1 Appropriations Committees and the four other members of the
2 General Assembly, members]

3 (1) Members appointed under subsection (b) (9), ~~(10)~~ and ←
4 (18) shall serve for a four-year term, and may be appointed
5 for no more than one additional consecutive term. The terms
6 of those members who serve by virtue of the public office
7 they hold shall be concurrent with their service in the
8 office from which they derive their membership.

9 (2) The term of the chairman of the Juvenile [Advisory]
10 Justice and Delinquency Prevention Committee shall be
11 concurrent with his service as chairman of that committee.

12 (E) VACANCIES.--SHOULD ANY MEMBER CEASE TO BE AN OFFICER OR ←
13 EMPLOYEE OF THE AGENCY HE IS APPOINTED TO REPRESENT [OR CEASE TO
14 BE A PRIVATE CITIZEN], HIS MEMBERSHIP ON THE COMMISSION SHALL
15 TERMINATE IMMEDIATELY AND A NEW MEMBER SHALL BE APPOINTED IN THE
16 SAME MANNER AS HIS PREDECESSOR TO FILL THE UNEXPIRED PORTION OF
17 A TERM. OTHER VACANCIES OCCURRING, EXCEPT THOSE BY THE
18 EXPIRATION OF A TERM, SHALL BE FILLED FOR THE BALANCE OF THE
19 UNEXPIRED TERM IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

20 * * *

21 [(1) Advisory committees.--The commission may establish such
22 advisory committees, in addition to those provided for in this
23 act, as it deems advisable but only the commission may set
24 policy or take other official action. Members of advisory
25 committees shall serve without compensation but may be
26 reimbursed for necessary travel and other expenses in accordance
27 with applicable law and regulations.]

28 (M) MEETINGS.--ALL MEETINGS OF THE COMMISSION AND OF ITS ←
29 ADVISORY COMMITTEES, AT WHICH FORMAL ACTION IS TAKEN, SHALL
30 CONFORM TO [THE ACT OF JULY 19, 1974 (P.L.486, NO.175), REFERRED

1 TO AS THE PUBLIC AGENCY OPEN MEETING LAW] 65 PA.C.S. CH. 7
2 (RELATING TO OPEN MEETINGS).

3 * * *

4 Section 2. Section 3 of the act is amended by adding a
5 paragraph to read:

6 Section 3. Powers and duties of the commission.

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

8 * * *

9 (18) To establish advisory committees, in addition to
10 those provided for under this act, as it deems advisable,
11 except that only the commission may set policy or take other
12 official action. Members of advisory committees shall serve
13 without compensation but may be reimbursed for necessary
14 travel and other expenses in accordance with applicable law
15 and regulations.

16 Section 3. Sections 4(8), (9) and (10) and 5 of the act are
17 amended to read:

18 Section 4. Duties of the commission relative to criminal
19 statistics.

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

21 * * *

22 (8) [The commission, at the request of any of the
23 following, may] To assist or advise in a statistical and
24 research capacity [the Bureau of Correction] as requested by
25 the Department of Corrections, the Pennsylvania Board of
26 Probation and Parole, the Pennsylvania State Police, the
27 Juvenile Court Judges' Commission and the [State] Court
28 Administrator.

29 (9) [It shall be the duty of the commission to] To give
30 adequate interpretation of such statistics and so to present

1 the information that it may be of value in guiding the
2 policies of the commission and of those in charge of the
3 apprehension, prosecution and treatment of the criminals and
4 delinquents, or concerned with the present state of crime and
5 delinquency. The report shall include also statistics which
6 are comparable with national uniform criminal statistics
7 published by Federal bureaus or departments heretofore
8 mentioned.

9 (10) [The commission shall take advantage of] To seek
10 and utilize all available Federal funds and establish new
11 programs as well as undertake a continuous analysis of future
12 data needs.

13 Section 5. Duties of public agencies and officers in reporting
14 criminal statistics.

15 It shall be the duty of every [constable, chief of police,
16 county police force, sheriff, coroner, district attorney, chief
17 probation officer and of the Bureau of Correction in the
18 Department of Justice, the Pennsylvania Board of Probation and
19 Parole, the Pennsylvania State Police, the State Court
20 Administrator, the Juvenile Court Judges' Commission, the
21 Department of Public Welfare, State Fire Marshal, Pennsylvania
22 Liquor Control Board, the Philadelphia Municipal and Traffic
23 Courts, justices of the peace, county prison wardens, and every
24 other person or agency dealing with crimes or criminals or with
25 delinquency or delinquents] Commonwealth agency and every person
26 in charge of the apprehension, prosecution and treatment of the
27 criminals and delinquents, when requested by the commission:

28 (1) To install and maintain records and recording
29 systems needed for the correct reporting of statistical data
30 required by the commission.

1 (2) To report statistical data to the commission at such
2 times and in such manner as the commission prescribes.

3 (3) To give to the staff of the commission access to
4 statistical data for the purpose of carrying out the duties
5 of the commission relative to criminal statistics.

6 Section 4. Section 6(a) of the act, amended June 22, 2001
7 (P.L.396, No.30), is amended and the section is amended by
8 adding subsections to read:

9 Section 6. Juvenile Justice and Delinquency Prevention
10 Committee.

11 (a) Establishment [and membership].--There is hereby
12 established the Juvenile Justice and Delinquency Prevention
13 Committee within the commission.

14 (a.1) Composition.--The members of the committee shall be
15 appointed by the Governor and shall include:

16 (1) The Executive Director of the Juvenile Court Judges'
17 Commission.

18 (2) [representation] Representatives of units of local
19 government, law enforcement and juvenile justice agency
20 probation personnel, juvenile court judges, [the Executive
21 Director of the Juvenile Court Judges' Commission,] public
22 and private agencies and organizations concerned with
23 delinquency prevention or treatment and services to
24 delinquency prevention or treatment and services to dependent
25 children, community-based prevention in-treatment programs,
26 organizations concerned with the quality of juvenile justice
27 or that utilize volunteers to work with delinquent or
28 dependent children, businesses employing youth, youth workers
29 involved with alternative youth programs, persons with
30 special experience and competence in addressing the problem

1 of school violence and vandalism and the problem of learning
2 disabilities and representatives of public agencies concerned
3 with special education.

4 (a.2) Term.--Members shall serve for a four-year term, and
5 may be appointed for no more than one additional consecutive
6 term.

7 * * *

8 (f) Powers and duties.--The Juvenile Justice and Delinquency
9 Prevention Committee shall have the power, and its duty shall
10 be:

11 (1) To serve in an advisory capacity to the commission
12 through the committee's participation in the development of
13 that part of the commission's comprehensive plan relating to
14 juvenile justice and delinquency prevention.

15 (2) To perform those functions related to the direct
16 approval and disbursement of financial assistance in an
17 advisory capacity only, but the advisory committee shall have
18 the opportunity to review and comment on such applications
19 within 30 days after receipt of the application from the
20 commission.

21 (3) To advise the commission on the definition,
22 development and correlation of programs and projects and the
23 establishment of priorities for juvenile justice and
24 delinquency prevention.

25 (4) To develop standards, methods and procedures for
26 evaluating and monitoring services for delinquent and
27 dependent children.

28 (5) Upon request, to provide assistance and advice to
29 the commission on any other matters relating to juvenile
30 justice and delinquency prevention.

1 (6) To submit to the Governor and the General Assembly
2 such reports as may be required by Federal law.

3 (7) To advise the commission in defining and
4 collaborating with all State agencies on planning and
5 programming related to juvenile delinquency prevention and
6 the reduction and prevention of violence by and against
7 children.

8 (8) To advise and assist the commission in designing and
9 promoting comprehensive research-based initiatives to assist
10 communities and community-based organizations in reducing
11 risk to and promoting the positive development of children
12 and in preventing juvenile delinquency and youth violence.

13 (g) Staff support.--Staff support shall be made available to
14 the committee by the executive director in order to adequately
15 perform the duties provided for under this section.

16 Section 5. Section 7 of the act, amended June 22, 2001
17 (P.L.396, No.30), is repealed:

18 [Section 7. Powers and duties of the Juvenile Justice and
19 Delinquency Prevention Committee.

20 The Juvenile Justice and Delinquency Prevention Committee
21 shall have the power, and its duty shall be:

22 (1) Serve in an advisory capacity to the commission
23 through the committee's participation in the development of
24 that part of the commission's comprehensive plan relating to
25 juvenile justice and delinquency prevention.

26 (2) Those functions related to the direct approval and
27 disbursement of financial assistance shall be in an advisory
28 capacity only, but the advisory committee shall have the
29 opportunity to review and comment on such applications within
30 30 days after receipt of the application from the commission.

1 (3) To advise the commission on the definition,
2 development and correlation of programs and projects and the
3 establishment of priorities for juvenile justice and
4 delinquency prevention.

5 (4) To develop standards, methods and procedures for
6 evaluating and monitoring services for delinquent and
7 dependent children.

8 (5) Upon request provide whatever assistance and advice
9 to the commission on any other matters relating to juvenile
10 justice and delinquency prevention.

11 (6) Staff support shall be made available to the
12 Juvenile Justice and Delinquency Prevention Committee by the
13 executive director in order to adequately perform the duties
14 provided for in this section.

15 (7) Submit to the Governor and the General Assembly such
16 reports as may be required by Federal Law.

17 (8) To advise the commission in defining and
18 collaborating with all State agencies on planning and
19 programming related to juvenile delinquency prevention and
20 the reduction and prevention of violence by and against
21 children.

22 (9) To advise and assist the commission in designing and
23 promoting comprehensive research-based initiatives to assist
24 communities and community-based organizations in reducing
25 risk to and promoting the positive development of children
26 and in preventing juvenile delinquency and youth violence.]

27 ~~Section 6. Section 7.1(b) (16) of the act, added December 6,~~ ←
28 ~~2002 (P.L.1180, No.146), is amended and the section is amended~~
29 ~~by adding subsections to read:~~

30 ~~Section 7.1. Targeted Community Revitalization and Crime~~

1 ~~Prevention Advisory Committee.~~

2 ~~* * *~~

3 ~~(b) Composition. The committee shall consist of the~~
4 ~~following members or their designees:~~

5 ~~* * *~~

6 ~~(16) [Eight members who are located in or serve a~~
7 ~~targeted community, appointed by the Governor, one] One~~
8 ~~district attorney representative, one representative of~~
9 ~~county commissioners, one representative of community and~~
10 ~~economic development agencies, one representative of crime~~
11 ~~prevention agencies, one representative of a community based~~
12 ~~organization, one representative of a faith based~~
13 ~~organization, one nonsupervisory local law enforcement~~
14 ~~officer representative and one nonsupervisory Pennsylvania~~
15 ~~State Police representative, each of whom shall be appointed~~
16 ~~by the Governor and shall reside in or serve a targeted~~
17 ~~community.~~

18 ~~* * *~~

19 ~~(g) Powers and duties. The Targeted Community~~
20 ~~Revitalization and Crime Prevention Advisory Committee shall~~
21 ~~have the power and its duty shall be to:~~

22 ~~(1) Advise the commission through the committee's~~
23 ~~participation in the development of that part of the~~
24 ~~commission's comprehensive plan relating to targeted crime~~
25 ~~prevention efforts and the revitalization of targeted~~
26 ~~communities.~~

27 ~~(2) Advise the commission on those functions related to~~
28 ~~the direct approval and disbursement of financial assistance.~~
29 ~~The committee shall have the opportunity to review and~~
30 ~~comment on applications after their receipt from the~~

1 ~~commission.~~

2 ~~(3) Advise the commission on the definition, development~~
3 ~~and correlation of programs and projects and the~~
4 ~~establishment of priorities for supporting law enforcement~~
5 ~~and community partnerships developing comprehensive, targeted~~
6 ~~crime prevention efforts and a planning process for the~~
7 ~~revitalization of high crime and distressed communities.~~

8 ~~(4) Develop standards, methods and procedures for~~
9 ~~evaluating and monitoring services and programs for crime~~
10 ~~prevention efforts and the revitalization of targeted~~
11 ~~communities.~~

12 ~~(5) Provide assistance and advice requested by the~~
13 ~~commission on any other matters relating to the crime~~
14 ~~prevention efforts and the revitalization of targeted~~
15 ~~communities.~~

16 ~~(6) Submit to the Governor and the General Assembly~~
17 ~~reports as may be required by Federal and State law.~~

18 ~~(h) Staff support. Staff support shall be made available to~~
19 ~~the committee by the executive director of the commission in~~
20 ~~order for the committee to adequately perform the duties~~
21 ~~provided for under this section.~~

22 Section 7. Section 7.2 of the act, added December 6, 2002
23 (P.L.1180, No.146), is repealed:

24 SECTION 6. SECTIONS 7.1 AND 7.2 OF THE ACT, ADDED DECEMBER
25 6, 2002 (P.L.1180, NO.146), ARE REPEALED: ←

26 [SECTION 7.1. TARGETED COMMUNITY REVITALIZATION AND CRIME
27 PREVENTION ADVISORY COMMITTEE.

28 (A) ESTABLISHMENT.--THERE IS HEREBY ESTABLISHED THE TARGETED
29 COMMUNITY REVITALIZATION AND CRIME PREVENTION ADVISORY COMMITTEE
30 WITHIN THE COMMISSION.

1 (B) COMPOSITION.--THE COMMITTEE SHALL CONSIST OF THE
2 FOLLOWING MEMBERS OR THEIR DESIGNEES:

3 (1) THE SECRETARY OF PUBLIC WELFARE.

4 (2) THE SECRETARY OF COMMUNITY AND ECONOMIC DEVELOPMENT.

5 (3) THE SECRETARY OF HEALTH.

6 (4) THE SECRETARY OF EDUCATION.

7 (5) THE SECRETARY OF LABOR AND INDUSTRY.

8 (6) THE SECRETARY OF CONSERVATION AND NATURAL RESOURCES.

9 (7) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA HOUSING
10 FINANCE AGENCY.

11 (8) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA
12 COMMISSION ON CRIME AND DELINQUENCY.

13 (9) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S ADVISORY
14 COMMISSION ON LATINO AFFAIRS.

15 (10) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S ADVISORY
16 COMMISSION ON AFRICAN AMERICAN AFFAIRS.

17 (11) THE EXECUTIVE DIRECTOR OF THE JUVENILE COURT
18 JUDGES' COMMISSION.

19 (12) THE DIRECTOR OF THE GOVERNOR'S OFFICE OF POLICY
20 DEVELOPMENT.

21 (13) THE COMMISSIONER OF THE PENNSYLVANIA STATE POLICE.

22 (14) THE CHAIRMAN OF THE PENNSYLVANIA BOARD OF PROBATION
23 AND PAROLE.

24 (15) FOUR MEMBERS OF THE GENERAL ASSEMBLY, ONE OF WHOM
25 SHALL BE DESIGNATED BY AND SERVE AT THE PLEASURE OF THE
26 PRESIDENT PRO TEMPORE OF THE SENATE, ONE OF WHOM SHALL BE
27 DESIGNATED BY AND SERVE AT THE PLEASURE OF THE MINORITY
28 LEADER OF THE SENATE, ONE OF WHOM SHALL BE DESIGNATED BY AND
29 SERVE AT THE PLEASURE OF THE SPEAKER OF THE HOUSE OF
30 REPRESENTATIVES AND ONE OF WHOM SHALL BE DESIGNATED BY AND

1 SERVE AT THE PLEASURE OF THE MINORITY LEADER OF THE HOUSE OF
2 REPRESENTATIVES. THE MEMBERS DESIGNATED MUST HAVE A TARGETED
3 COMMUNITY IN THEIR LEGISLATIVE DISTRICTS.

4 (16) EIGHT MEMBERS WHO ARE LOCATED IN OR SERVE A
5 TARGETED COMMUNITY, APPOINTED BY THE GOVERNOR, ONE DISTRICT
6 ATTORNEY REPRESENTATIVE, ONE REPRESENTATIVE OF COUNTY
7 COMMISSIONERS, ONE REPRESENTATIVE OF COMMUNITY AND ECONOMIC
8 DEVELOPMENT AGENCIES, ONE REPRESENTATIVE OF CRIME PREVENTION
9 AGENCIES, ONE REPRESENTATIVE OF A COMMUNITY-BASED
10 ORGANIZATION, ONE REPRESENTATIVE OF A FAITH-BASED
11 ORGANIZATION, ONE NONSUPERVISORY LOCAL LAW ENFORCEMENT
12 OFFICER REPRESENTATIVE AND ONE NONSUPERVISORY PENNSYLVANIA
13 STATE POLICE REPRESENTATIVE.

14 (17) FIVE PRIVATE CITIZENS APPOINTED BY THE GOVERNOR,
15 ALL OF WHOM RESIDE IN A TARGETED COMMUNITY.

16 (18) SUCH ADDITIONAL MEMBERS APPOINTED BY THE GOVERNOR,
17 ALL OF WHOM SHALL HAVE EXPERIENCE AND INVOLVEMENT IN
18 COMMUNITY REVITALIZATION AND CRIME PREVENTION EFFORTS.

19 (C) NUMBER AND QUALIFICATIONS.--THE COMMITTEE SHALL CONSIST
20 OF NO MORE THAN 33 MEMBERS, ALL OF WHOM SHALL HAVE HAD TRAINING
21 OR EXPERIENCE IN LAW ENFORCEMENT, SOCIAL SERVICES, COMMUNITY
22 REVITALIZATION OR ECONOMIC DEVELOPMENT.

23 (D) CONDITIONS OF APPOINTMENT.--THE COMMITTEE AND ITS
24 MEMBERS ARE SUBJECT TO THE SAME LIMITATIONS AND CONDITIONS
25 IMPOSED UPON THE COMMISSION AS PRESCRIBED IN SECTION 2 (D), (E),
26 (H), (M) AND (N).

27 (E) QUORUM.--A MAJORITY OF THE MEMBERS SHALL CONSTITUTE A
28 QUORUM, AND A VOTE OF THE MAJORITY OF THE MEMBERS PRESENT SHALL
29 BE SUFFICIENT FOR ALL ACTIONS.

30 (F) CHAIRMAN.--THE GOVERNOR SHALL APPOINT A CHAIRMAN FROM

1 AMONG THE MEMBERS OF THE COMMITTEE WHO SHALL SERVE AT THE
2 PLEASURE OF THE GOVERNOR. A VICE CHAIRMAN SHALL BE DESIGNATED BY
3 THE CHAIRMAN AND PRESIDE AT MEETINGS IN THE ABSENCE OF THE
4 CHAIRMAN. THE COMMITTEE SHALL MEET AT THE CALL OF THE CHAIRMAN
5 BUT NOT LESS THAN FOUR TIMES A YEAR.

6 †Section 7.2. Powers and duties of Targeted Community
7 Revitalization and Crime Prevention Advisory
8 Committee.



9 (a) Powers and duties.--The Targeted Community
10 Revitalization and Crime Prevention Advisory Committee shall
11 have the power and its duty shall be to:

12 (1) Serve in an advisory capacity to the commission
13 through the committee's participation in the development of
14 that part of the commission's comprehensive plan relating to
15 targeted crime prevention efforts and the revitalization of
16 targeted communities.

17 (2) Serve in an advisory capacity to the commission on
18 those functions related to the direct approval and
19 disbursement of financial assistance. The committee shall
20 have the opportunity to review and comment on applications
21 after their receipt from the commission.

22 (3) Advise the commission on the definition, development
23 and correlation of programs and projects and the
24 establishment of priorities for supporting law enforcement
25 and community partnerships developing comprehensive, targeted
26 crime prevention efforts and a planning process for the
27 revitalization of high-crime and distressed communities.

28 (4) Develop standards, methods and procedures for
29 evaluating and monitoring services and programs for crime
30 prevention efforts and the revitalization of targeted

1 communities.

2 (5) Provide assistance and advice requested by the
3 commission on any other matters relating to the crime
4 prevention efforts and the revitalization of targeted
5 communities.

6 (6) Submit to the Governor and the General Assembly
7 reports as may be required by Federal and State law.

8 (b) Staff support.--Staff support shall be made available to
9 the committee by the executive director of the commission in
10 order for the committee to adequately perform the duties
11 provided for in this section.]

12 SECTION 7. THE ACT IS AMENDED BY ADDING A SECTION TO READ: ←

13 SECTION 8.1. JUSTICE REINVESTMENT GRANTS.

14 (A) JUSTICE REINVESTMENT FUND.--THE JUSTICE REINVESTMENT
15 FUND IS ESTABLISHED WITHIN THE STATE TREASURY TO SUPPORT
16 PROGRAMS AND ACTIVITIES TO IMPROVE THE DELIVERY OF CRIMINAL
17 JUSTICE SERVICES WITHIN THIS COMMONWEALTH.

18 (B) SAVINGS ASSESSMENT.--FOR FISCAL YEARS 2013-2014 THROUGH
19 2017-2018, THE OFFICE OF THE BUDGET SHALL DEVELOP A FORMULA TO
20 CALCULATE THE AMOUNT OF SAVINGS TO THE DEPARTMENT OF CORRECTIONS
21 IN THE PRIOR FISCAL YEAR. THE CALCULATION MAY INCLUDE ALL OF THE
22 FOLLOWING:

23 (1) THE REDUCTION IN PRISON POPULATION BECAUSE OF THE
24 DIVERSION TO COUNTIES OF MID-MINIMUM AND SHORT-MINIMUM
25 OFFENDERS.

26 (2) THE ELIMINATION OF PRERELEASE PROGRAMS AND THE
27 IMPROVED EFFICIENCIES IN THE PAROLE SYSTEM, DIRECTLY
28 RESULTING FROM THE ACT OF JULY 5, 2012 (P.L.1050, NO.122),
29 ENTITLED "AN ACT AMENDING TITLES 18 (CRIMES AND OFFENSES), 42
30 (JUDICIARY AND JUDICIAL PROCEDURE) AND 61 (PRISONS AND

1 PAROLE) OF THE PENNSYLVANIA CONSOLIDATED STATUTES, IN
2 BURGLARY AND OTHER CRIMINAL INTRUSION, FURTHER PROVIDING FOR
3 THE OFFENSE OF BURGLARY; IN OTHER OFFENSES, FURTHER PROVIDING
4 FOR DRUG TRAFFICKING SENTENCING AND PENALTIES; IN
5 PENNSYLVANIA COMMISSION ON SENTENCING, FURTHER PROVIDING FOR
6 POWERS AND DUTIES AND FOR PUBLICATION OF GUIDELINES; IN
7 SENTENCING, FURTHER PROVIDING FOR SENTENCES FOR SECOND AND
8 SUBSEQUENT OFFENSES; IN SENTENCING, PROVIDING FOR SENTENCING
9 FOR CERTAIN PAROLED OFFENDERS; IN SENTENCING, FURTHER
10 PROVIDING FOR SENTENCING GENERALLY, FOR DISPOSITION UNDER
11 GUILTY BUT MENTALLY ILL, FOR PARTIAL CONFINEMENT, FOR TOTAL
12 CONFINEMENT AND FOR PROCEEDINGS AND LOCATION; IN SENTENCING,
13 PROVIDING FOR COURT-IMPOSED SANCTIONS FOR OFFENDERS VIOLATING
14 PROBATION; IN COUNTY INTERMEDIATE PUNISHMENT, FURTHER
15 PROVIDING FOR DEFINITIONS AND FOR PROGRAMS; IN CORRECTIONAL
16 INSTITUTIONS ADMINISTRATION, FURTHER PROVIDING FOR DRUG
17 DISTRIBUTION DEFINITIONS; IN INMATE CONFINEMENT VISITATION,
18 FURTHER PROVIDING FOR GUBERNATORIAL VISITORS, FOR OFFICIAL
19 VISITORS AND FOR RIGHTS OF OFFICIAL VISITORS; IN INMATE
20 CONFINEMENT PRERELEASE PLANS, FURTHER PROVIDING FOR
21 ESTABLISHMENT OF PRERELEASE CENTERS, FOR PRERELEASE PLAN FOR
22 INMATES, FOR REGULATIONS AND FOR COMPENSATION OF INMATES; IN
23 INMATE CONFINEMENT MOTIVATIONAL BOOT CAMPS, FURTHER PROVIDING
24 FOR DEFINITIONS AND FOR SELECTION OF INMATE PARTICIPANTS; IN
25 INMATE CONFINEMENT STATE INTERMEDIATE PUNISHMENT, FURTHER
26 PROVIDING FOR DEFINITIONS AND FOR REFERRAL TO STATE
27 INTERMEDIATE PUNISHMENT PROGRAM; IN INMATE CONFINEMENT
28 RECIDIVISM RISK REDUCTION INCENTIVE, FURTHER PROVIDING FOR
29 DEFINITIONS; IN INMATE CONFINEMENT COMMUNITY CORRECTIONS
30 FACILITIES, FURTHER PROVIDING FOR DEFINITIONS; IN INMATE

1 CONFINEMENT, PROVIDING FOR SAFE COMMUNITY REENTRY AND FOR
2 COMMUNITY CORRECTIONS CENTERS AND COMMUNITY CORRECTIONS
3 FACILITIES; IN PROBATION AND PAROLE ADMINISTRATION, FURTHER
4 PROVIDING FOR CERTAIN OFFENDERS RESIDING IN GROUP-BASED
5 HOMES, FOR ADMINISTRATIVE POWERS OVER PAROLEES, FOR GENERAL
6 COURT CRITERIA FOR PAROLE, FOR PAROLE POWER, FOR PAROLE
7 VIOLATION AND FOR PAROLE PROCEDURE; IN PROBATION AND PAROLE
8 ADMINISTRATION, PROVIDING FOR EARLY PAROLE SUBJECT TO FEDERAL
9 ORDER; MAKING A RELATED REPEAL; AND ABROGATING REGULATIONS."

10 (C) DEPOSIT.--

11 (1) IN FISCAL YEAR 2013-2014, 75% OF THE AMOUNTS
12 DETERMINED TO BE SAVINGS UNDER SUBSECTION (B) ARE HEREBY
13 APPROPRIATED TO THE FUND.

14 (2) IN FISCAL YEAR 2014-2015, THE AMOUNTS DETERMINED TO
15 BE SAVINGS UNDER SUBSECTION (B) ARE HEREBY APPROPRIATED TO
16 THE FUND IN AN AMOUNT NOT TO EXCEED \$21,000,000.

17 (D) DISTRIBUTIONS.--FOR FISCAL YEARS 2013-2014 AND
18 2014-2015, THE MONEY IN THE FUND SHALL BE TRANSFERRED AS
19 FOLLOWS:

20 (1) THE SUM OF \$1,000,000 SHALL BE DISTRIBUTED TO THE
21 COMMISSION. AT LEAST 25% OF THE MONEY UNDER THIS PARAGRAPH
22 SHALL BE USED FOR A STATEWIDE AUTOMATED VICTIM INFORMATION
23 AND NOTIFICATION SYSTEM, 25% SHALL BE USED FOR VICTIM SERVICE
24 AUTOMATED DATA COLLECTION AND REPORTING PROJECTS AND THE
25 BALANCE OF THE MONEY UNDER THIS PARAGRAPH SHALL BE USED FOR
26 PROGRAMS FOR VICTIMS OF JUVENILE OFFENDERS.

27 (2) THE SUM OF \$400,000 SHALL BE DISTRIBUTED TO THE
28 PENNSYLVANIA COMMISSION ON SENTENCING TO ESTABLISH MODELS FOR
29 RISK ASSESSMENT UNDER 42 PA.C.S. § 2154.7 (RELATING TO
30 ADOPTION OF RISK ASSESSMENT INSTRUMENT).

1 (3) FOLLOWING DISTRIBUTION UNDER PARAGRAPHS (1) AND (2),
2 THE REMAINING MONEY IN THE FUND SHALL BE DISTRIBUTED AS
3 FOLLOWS:

4 (I) FORTY-THREE PERCENT TO THE COMMISSION TO PROVIDE
5 GRANTS FOR INNOVATIVE POLICING.

6 (II) TWENTY-ONE PERCENT TO THE DEPARTMENT TO
7 IMPLEMENT CONTRACTS WITH COUNTIES FOR OFFENDER DIVERSION
8 FOR MID-MINIMUM OFFENDERS AND SHORT-MINIMUM OFFENDERS.

9 (III) TWENTY-SIX PERCENT TO THE COMMISSION FOR
10 GRANTS, IN CONSULTATION WITH THE PENNSYLVANIA BOARD OF
11 PROBATION AND PAROLE, FOR COUNTY PROBATION IMPROVEMENT,
12 TO INCLUDE THE REDUCTION OF OFFENDERS ON PROBATION WHO
13 VIOLATE THE TERMS OF THEIR SUPERVISION.

14 (IV) SIX PERCENT TO THE BOARD FOR COSTS RELATED TO
15 STREAMLINING THE STATE PAROLE PROCESS.

16 (V) FOUR PERCENT TO THE DEPARTMENT TO SUPPORT THE
17 COORDINATED IMPLEMENTATION BY THE BOARD AND THE
18 DEPARTMENT OF THE PROGRAM UNDER 61 PA.C.S. CH. 49
19 (RELATING TO SAFE COMMUNITY REENTRY), INCLUDING THE
20 OUTREACH TO AND USE OF COMMUNITY ORGANIZATIONS AND OTHER
21 NONPROFIT AND FOR-PROFIT ENTITIES.

22 (E) APPROPRIATION.--BEGINNING IN FISCAL YEAR 2013-2014, IF
23 COUNTY PARTICIPATION IN THE PROGRAM UNDER SUBSECTION (D) (3) (II)
24 EXCEEDS THE AMOUNT AUTHORIZED, THE GENERAL ASSEMBLY MAY
25 APPROPRIATE ADDITIONAL MONEY TO THE FUND FOR OFFENDER DIVERSION
26 FOR MID-MINIMUM OFFENDERS AND SHORT-MINIMUM OFFENDERS.

27 (F) ADDITIONAL DISTRIBUTIONS.--FOR FISCAL YEARS 2015-2016
28 THROUGH 2017-2018, 25% OF THE AMOUNT DETERMINED TO BE SAVINGS
29 UNDER SUBSECTION (B) SHALL BE DEPOSITED IN THE FUND AND
30 APPROPRIATED BY THE GENERAL ASSEMBLY FOR ACTIVITIES RELATED TO

1 SENTENCING, VICTIM SERVICES, CONTRACTS FOR OFFENDER DIVERSION,
2 INNOVATIVE POLICING, COMMUNITY REENTRY PROGRAMS OR PROBATION AND
3 COUNTY PAROLE IMPROVEMENT.

4 (G) RESTRICTION.--GRANTS AWARDED UNDER THIS SECTION SHALL BE
5 ANNUAL GRANTS AND SHALL BE USED TO SUPPLEMENT AND NOT SUPPLANT
6 EXISTING FUNDING, INCLUDING FUNDING PROVIDED BY COUNTY
7 GOVERNMENTS AND GRANT-IN-AID UNDER 61 PA.C.S. § 6133(C) (RELATING
8 TO PROBATION SERVICES).

9 (H) CRITERIA.--THE COMMISSION, IN CONSULTATION WITH THE
10 BOARD, SHALL ADOPT CRITERIA FOR THE AWARD OF GRANTS BY THE
11 COMMISSION UNDER THIS SUBSECTION.

12 (I) EXPIRATION.--THIS SECTION SHALL EXPIRE JULY 15, 2018.

13 Section 8. This act shall take effect in 60 days.