

No. 1994-87

AN ACT

SB 638

Amending the act of May 26, 1988 (P.L.448, No.73), entitled "An act requiring institutions of higher education to provide students and employees with information relating to crime statistics and security measures and to provide similar information to prospective students and employees upon request; granting powers to the State Board of Education; and providing for penalties," adding definitions; and providing for daily logs of college and university police and security department activities and for public access to the daily logs.

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

Section 1. Section 2 of the act of May 26, 1988 (P.L.448, No.73), known as the College and University Security Information Act, is amended by adding definitions to read:

Section 2. Definitions.

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

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"Campus police." *Employees of an institution of higher education who exercise powers of arrest under authority of law or ordinance.*

"Campus security officers." *Employees of an institution of higher education, other than campus police, who are charged with maintaining the safety and security of the property of the institutions and the persons on the property.*

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"Investigative information." *Information that is assembled as a result of the performance of any formal or informal inquiry into a criminal incident or an allegation of criminal wrongdoing. The term may include modus operandi information.*

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"Valid complaint." *Any complaint received by a campus police or campus security department which results in an investigation or for which an entry is made in an incident report, log or blotter.*

Section 2. Section 3 of the act is amended by adding subsections to read:

Section 3. Crime statistics and security policies and procedures.

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(b.1) Daily logs and public records.—*The campus police or campus security officers of each institution of higher education shall develop and maintain a daily log as a public record. Entries in the log shall be*

chronologically recorded in a manner that can be easily understood and shall include the following:

(1) A report of each valid complaint and all reports of crimes received by the campus police or campus security officers and the responses thereto. Except as provided in paragraph (2), names and addresses shall not be included in the daily log. This prohibition need not preclude the use of words, numbers, phrases or other similar index keys in the logs to serve as indices to investigative information.

(2) The names and addresses of persons arrested and charged and the charges filed against those persons.

(3) A description of the disposition of the charges filed under paragraph (2), to be entered when and if reasonably available.

(b.2) Arrests by State, county or local police.—For arrests made by State, county or local police on campuses of institutions of higher education, the applicable police department shall provide to the institution of higher education without cost the names and addresses of persons arrested and the charges filed against those persons for inclusion in the daily logs required under this act.

(b.3) Information concerning juveniles.—Nothing in this act shall be construed to apply to information concerning juveniles, except as provided in 18 Pa.C.S. § 9123 (relating to juvenile records), unless they have been adjudicated as adults.

(b.4) Entries to be public records.—All entries in the daily logs shall, except as provided in subsection (b.3) and as otherwise provided by law, be public records available without cost for examination and inspection by the public during regular business hours and at all other reasonable times. The institutions of higher education may charge a reasonable fee for the cost of copies, photographs or photostats.

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Section 3. The State Board of Education may, in the manner provided by law, promulgate the rules and regulations necessary to carry out this act.

Section 4. This act shall take effect in 90 days.

APPROVED—The 13th day of October, A.D. 1994.

ROBERT P. CASEY