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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 743 Session of  
2023

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INTRODUCED BY ABNEY, RABB, SANCHEZ, HILL-EVANS, SCHLOSSBERG,  
MADDEN, D. WILLIAMS, KINKEAD, N. NELSON, KINSEY, KRAJEWSKI,  
KHAN, CEPEDA-FREYTIZ, McANDREW, WAXMAN, BURGOS AND  
INNAMORATO, MARCH 28, 2023

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 28, 2023

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in criminal history record  
3 information, providing for unified criminal justice data  
4 collection.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated  
8 Statutes is amended by adding a section to read:

9 § 9107. Unified criminal justice data collection.

10 (a) Formation of program.--The commission, in consultation  
11 with the Pennsylvania State Police, county prosecutors' offices,  
12 the court and the Department of Corrections, shall establish the  
13 Unified Criminal Justice Data Collection Program to collect,  
14 record and analyze data regarding defendants in this  
15 Commonwealth who are 18 years of age or older at the time of the  
16 commission of an alleged indictable offense or an offense  
17 defined under Subchapter A of Chapter 55 (relating to definition  
18 of offenses generally).

1 (b) Data compilation.--In furtherance of the program, the  
2 commission shall compile data collected from the time a  
3 defendant enters the criminal justice system of the Commonwealth  
4 by arrest, charge or other action, through the final disposition  
5 of the defendant's case. The data shall include information  
6 concerning the race, ethnicity, gender and age of the defendant  
7 and be compiled in accordance with the standards of the  
8 classification of Federal data on race and ethnicity established  
9 by the Federal Office of Management and Budget. The data shall  
10 include:

11 (1) Warrants, arrests, charges, filing of criminal  
12 complaints and indictments.

13 (2) Dismissed or downgraded charges.

14 (3) Cases which proceed to trial and the disposition of  
15 the cases, including convictions and guilty pleas.

16 (4) Admission to diversionary programs, including data  
17 on program applications, and any prosecutorial or court  
18 consent or denial for a defendant's entry into diversionary  
19 programs.

20 (5) Cases involving victims, including the race,  
21 ethnicity, gender and age of the defendant and victims in  
22 those cases.

23 (c) Cooperation.--The Pennsylvania State Police, county  
24 prosecutors' offices, the court, offices of Public Defender and  
25 county and municipal police departments shall cooperate with the  
26 commission in the implementation of the program and shall assist  
27 in the collection, recording, compilation and provision of data  
28 in furtherance of the program to the extent and in the manner  
29 required by the commission.

30 (d) Disclosure.--Nothing in this section shall be construed

1 to authorize the disclosure of any confidential or personal  
2 identifying information.

3 (e) Report.--The commission shall prepare and publish an  
4 annual report summarizing the data collected, recorded and  
5 analyzed under this section and post the report on the publicly  
6 accessible Internet website of the commission. No later than  
7 August 1 of each year, the commission shall submit to the  
8 Governor's Office, the chairperson and minority chairperson of  
9 the Judiciary Committee of the Senate and the chairperson and  
10 minority chairperson of the Judiciary Committee of the House of  
11 Representatives the written report under this subsection  
12 containing summaries of the data collected, recorded and  
13 analyzed pursuant to this section. The commission shall also  
14 make recommendations as appropriate for legislative changes or  
15 improvements that could be made to the criminal justice system  
16 based on its findings.

17 (f) Definitions.--As used in this section, the following  
18 words and phrases shall have the meanings given to them in this  
19 subsection unless the context clearly indicates otherwise:

20 "Commission." The Pennsylvania Commission on Crime and  
21 Delinquency of the Commonwealth.

22 "Court." The minor judiciary or any other court in this  
23 Commonwealth.

24 "Indictable offense." An offense other than a summary  
25 offense.

26 "Personal identifying information." The name and aliases,  
27 address, Social Security number, telephone number, facsimile  
28 number, driver's license number or email address or social media  
29 address of any defendant or victim.

30 "Program." The Unified Criminal Justice Data Collection

1 Program established under this section.

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