

IN THE COURT OF COMMON PLEAS
OF LEBANON COUNTY, PENNSYLVANIA

IN RE: RULES OF CRIMINAL
PROCEDURE

: ADMINISTRATIVE ORDER
: NO. 1 of 2020
:
: DOCKET NO. 2020-00021

ENTERED & FILED
PROTHONOTARY OFFICE
LEBANON, PA
2020 FEB -4 A 11:11

ORDER OF COURT

AND NOW, this 3rd day of February, 2020, in compliance with Rule 103(d) of the Pennsylvania Rules of Judicial Administration, it is HEREBY ORDERED that the Court adopts the following Rule of Criminal Procedure Rule 507 regarding Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth which becomes effective March 1, 2020.

The District Court Administrator is HEREBY ORDERED to:

1. File one certified copy of this Order with the Administrative Office of Pennsylvania Courts to adminrules@pacourts.us;
2. Submit two paper copies of this Order to the Legislative Reference Bureau and one electronic copy in Microsoft Word format only to bulletin@palrb.us for publication in the *Pennsylvania Bulletin*;
3. Provide one copy of this Order to the members of the Lebanon County Bar Association;
4. Incorporate the Rule into the set of Local Rules within thirty (30) days of publication of the Local Rule in the *Pennsylvania Bulletin* and publish the rules on the Court's website at www.lebcounty.org.

5. File this Order in the Prothonotary's Office of Lebanon County.

RULE OF CRIMINAL PROCEDURE 507.

APPROVAL OF POLICE COMPLAINTS AND ARREST WARRANT AFFIDAVITS BY ATTORNEY FOR THE COMMONWEALTH.

The District Attorney of Lebanon County having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging:

1. The following offenses set forth in Chapter 9 (Inchoate Crimes) of the Crimes Code:
 - a. 18 Pa.C.S.A. §911 – Corrupt Organizations;
2. All offenses set forth in Chapter 25 (Criminal Homicide) of the Crimes Code;
3. All offenses set forth in Chapter 26 (Crimes Against Unborn Child) of the Crimes Code;
4. The following offenses set forth in Chapter 27 (Assault) of the Crimes Code:
 - a. 18 Pa.C.S.A. §2702 – Aggravated Assault sections (a)(1), (2), and (9)(F1 grading);
 - b. 18 Pa.C.S.A. §2713 – Neglect of Care-Dependent Person under the following circumstances: the victim suffers serious bodily injury;
 - c. 18 Pa.C.S.A. §2718 – Strangulation;
5. All offenses set forth in Chapter 29 (Kidnapping) of the Crimes Code;
 - a. Exception – No approval shall be required for the following offenses:
 - i. 18 Pa.C.S.A. §2902 – Unlawful Restraint, and
 - ii. 18 Pa.C.S.A. §2903 – False Imprisonment;
6. All offenses set forth in Chapter 30 (Human Trafficking) of the Crimes Code;
7. All offenses set forth in Chapter 31 (Sexual Offenses) of the Crimes Code;
 - a. Exception – No approval shall be required for the following offenses:
 - i. 18 Pa.C.S.A. §3126 – Indecent Assault, and
 - ii. 18 Pa.C.S.A. §3127 – Indecent Exposure;
8. All offenses set forth in Chapter 32 (Abortion) of the Crimes Code;
9. The following offenses set forth in Chapter 33 (Arson, Criminal Mischief, and Other Property Destruction) of the Crimes Code:
 - a. 18 Pa.C.S.A. §3301 – Arson and Related Offenses
10. All offenses set forth in Chapter 37 (Robbery) of the Crimes Code;

- a. Exception – No approval shall be required for the following offenses:
 - i. 18 Pa.C.S.A. §3701(a)(v) – Robbery (taking property by force however slight);
- 11. All offenses set forth in Chapter 39 (Theft and Related Offenses) of the Crimes Code under the following circumstances: the value of the property that is the subject of the theft offense exceeds \$100,000;
- 12. All offenses set forth in Chapter 43 (Offenses Against the Family) of the Crimes Code;
- 13. The following offenses set forth in Chapter 51 (Obstructing Governmental Operations), Subchapter A (Definition of Offenses Generally) of the Crimes Code:
 - a. 18 Pa.C.S.A. §5111 – Dealing in Proceeds of Unlawful Activities;
- 14. The following offenses set forth in Chapter 55 (Riot, Disorderly Conduct, and Related Offenses), Subchapter B (Cruelty to Animals) of the Crimes Code:
 - a. 18 Pa.C.S.A. §5532 – Neglect of Animal;
 - b. 18 Pa.C.S.A. §5533 – Cruelty to Animal;
 - c. 18 Pa.C.S.A. §5534 – Aggravated Cruelty to Animal;
 - d. 18 Pa.C.S.A. §5535 – Attack of Service, Guide, or Support Dog;
 - e. 18 Pa.C.S.A. §5536 – Tethering of Unattended Dog;
 - f. 18 Pa.C.S.A. §5542 – Animal Mutilation and Related Offenses;
 - g. 18 Pa.C.S.A. §5543 – Animal Fighting;
 - h. 18 Pa.C.S.A. §5544 – Possession of Animal Fighting Paraphernalia;
 - i. 18 Pa.C.S.A. §5548 – Police Animals;
- 15. All offenses set forth in Chapter 57 (Wiretapping and Electronic Surveillance) of the Crimes Code;
- 16. The following offenses set forth in Chapter 63 (Minors) of the Crimes Code:
 - a. 18 Pa.C.S.A. §6320 – Sexual Exploitation of Children;
- 17. The following offenses set forth in Chapter 55 (Operation of Boats) of the Fish and Boat Code:
 - a. 30 Pa.C.S.A. §5502.1 – Homicide by Watercraft While Operating Under the Influence;
 - b. 30 Pa.C.S.A. §5502.2 – Homicide by Watercraft
- 18. The following offenses set forth in Chapter 37 (Miscellaneous Provisions), Subchapter B (Serious Traffic Offenses) of the Vehicle Code:
 - a. 75 Pa.C.S.A. §3732 – Homicide by Vehicle;

- b. 75 Pa.C.S.A. §3732.1 – Aggravated Assault by Vehicle;
 - c. 75 Pa.C.S.A. §3735 – Homicide by Vehicle while DUI;
 - d. 75 Pa.C.S.A. §3735.1 – Aggravated Assault by Vehicle while DUI;
19. The following offenses set forth in Chapter 37 (Miscellaneous Provisions), Subchapter C (Accidents and Accident Reports) of the Vehicle Code:
- a. 75 Pa.C.S.A. §3742 – Accidents Involving Death or Personal Injury under the following circumstances: when the victim suffers death or serious bodily injury;
20. Criminal Conspiracy, Criminal Attempt, or Criminal Solicitation of any of the above-listed offenses; and
21. Any offense arising out of an incident for which the District Attorney of Lebanon County has given written notice to the investigating agency of his intent to review any charges brought in connection with that incident prior to filing.

shall not hereafter be accepted by any judicial officer unless the complaint and affidavit has the approval of an attorney for the Commonwealth prior to filing.

BY THE COURT:

 P.J.
JOHN C. TYLWALK

JCT/sa

cc: Court Administration
Prothonotary/Clerk of Court