



STATE REPRESENTATIVE

Joseph A. PETRARCA

55TH LEGISLATIVE DISTRICT



CAPITOL OFFICE

220 Irvis Office Building
P.O. Box 202055
Harrisburg, PA 17120-2055
(717) 787-5142

239 Longfellow St.
Vandergrift, PA 15690
(724) 567-6982

DISTRICT OFFICES

620 N. Chestnut St.
Derry, PA 15627
(724) 694-5298

Latrobe Municipal Building
901 Jefferson St.
Latrobe, PA 15650
(724) 539-7560

Petrarca named Judiciary chairman

At the beginning of the 2015-16 legislative session, I was appointed Democratic chairman of the House Judiciary Committee, the busiest and most active committee of the House.

I am well entrenched in the workings of this important committee, and I am continually working to address and advance issues and legislation relating to both the judicial and criminal justice systems, as well as measures that protect Pennsylvania residents and communities.

This position affords me the opportunity to advocate for seniors, children and victims of crime, and for law enforcement to help make Pennsylvania a safer and better place to live, work and raise a family.

As chairman of the Judiciary Committee, I have the opportunity to participate in the annual budget hearings with the House Appropriations Committee regarding the Attorney General's Office, the Board of Probation and Parole, Department of Corrections, Pennsylvania State Police and judiciary branch of state government. The hearings provide the opportunity to learn what these agencies' budget requests are for the upcoming year.



JUDICIARY COMMITTEE RESPONSIBILITIES

The Judiciary Committee reviews all legislation relating to aspects of the civil and criminal court systems, law enforcement and corrections. The committee also oversees the state police, Attorney General's Office, Department of Corrections, State Ethics Commission, Pennsylvania Commission on Crime and Delinquency, Pennsylvania Commission on Sentencing and the Municipal Police Officers Education and Training Commission, among others.

The committee also is responsible for evaluating prison staffing and inmate populations and housing conditions.

Scaled down state budget passes

After months of wrangling among Republicans and Democrats in the General Assembly and the governor, on Dec. 29, Gov. Tom Wolf signed a scaled down 2015-16 state budget. He used his constitutional authority to line-item veto more than 100 appropriation lines because the bill was structurally unbalanced, which will increase the long-term deficits and cuts

education by \$95 million, which will cause local property taxes to increase.

By signing the bill, he authorized the flow of emergency funding to schools, counties and human service providers that have been struggling to keep afloat and continue to provide services during the impasse. More work

Petrarca votes against tax increases

still is needed to address the priorities the majority of Pennsylvanians said they want addressed:

- A reduction in property taxes for middle-class families and seniors.
- A commonsense plan to pay down deficits and create jobs.
- Fairer school funding.

No one likes the delays in enacting a complete state budget, but we need to fix the serious educational funding inequities that will result in higher property taxes and address the deep cuts to human services, both of which were neglected the last several years.

It is imperative that we fix this budget shortfall and do it now. I voted against the recent tax increase proposal. As you may know, I have never voted for a tax increase and believe in fiscal restraint. Legislative leaders, however, must negotiate with the governor in earnest and good faith to seek a resolution. I am doing all that I can to see this happen.

In solidarity with local human service providers and school districts who had been struggling to maintain their services, I did not take my paychecks during the time they were without funding and Pennsylvania was without a budget. I did not feel it was right to take these paychecks until the budget passed.

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Cyberbullying becomes a crime

Bullying and bullies have been around forever. But today's bully has a host of avenues online and through social media in which to mentally torture his or her victim. They can ruin lives and even cause suicides. I believe the law should change with the times. That's why I voted for Act 26, which makes cyberbullying a punishable crime.

Under the law, adults who are convicted could be sentenced to jail and fines. Juveniles charged with cyber harassment may be given a path toward becoming responsible adults through diversionary programs.

It's important to have a deterrent in place and the means to punish offenders because cyberbullying can have terrible consequences.

'Rape kit' law will fast track DNA evidence from sexual assaults



The governor has signed the rape kit law that upgrades testing of DNA evidence stemming from sexual assaults.

Victims of sexual assault and their families deserve closure and timely resolution of these despicable crimes.

Experts estimate hundreds of thousands of sexual assault kits nationwide have never been submitted to a laboratory for testing. The problem is compounded by the fact that most states don't require police to track and count untested kits.

To counter those backlogs, this law sets precise policies and procedures to deal with the collection and testing of sexual assault evidence.

As an added benefit, it makes the commonwealth eligible for more federal funding that is available and designed to reduce testing backlogs. Pennsylvania recently received federal funding to address some of the backlog with these kits.

The law cuts through the red tape and gives due diligence to these heinous crimes by:

- Directing the state Department of Health to designate laboratories approved to receive and test sexual assault evidence;
- Requiring local authorities to submit evidence within 125 days to an approved laboratory, which must complete the testing within six months;
- Mandating reports on testing backlogs, and permitting authorities to upload testing results into databases to help solve related sexual assault cases; and
- Requiring notification to victims or surviving family when DNA testing has been completed.

Ohio passed a similar law mandating the testing of backlogged rape kits in December 2014. By May 2015, Ohio law enforcement had reinvestigated more than 2,000 rape cases and identified more than 224 potential serial rapists.

Fighting for a fair budget

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I want to thank everyone who took the time to contact me or my office over the past six months. My goal is to always remain open and accessible to my constituents and hearing from you allows me to better represent your interests in Harrisburg.



Petrarca named to Pa. Commission on Crime and Delinquency

In 2015 I was appointed to serve as a member of the Pennsylvania Commission on Crime and Delinquency for the 2015-16 legislative session.

This appointment gives me another perspective on the Commonwealth's justice system and augments my decision-making on legislation before the committee.

PCCD's mission is to enhance the quality and coordination of criminal and juvenile justice systems, to facilitate the delivery of services to crime victims and to increase the safety of communities.

The commission also is responsible for overseeing the expenditure of the monetary penalty imposed on Penn State by the NCAA to aid the victims of child sexual abuse in Pennsylvania, according to Act 1 of 2013.

Working with the PCCD will let me explore different approaches to improving public safety. As a father, that goal is particularly important to me.



With Josh Shapiro, chairman of the Pennsylvania Commission on Crime and Delinquency.

Officer Down alert system passes House



The House passed a bill that we voted out of the Judiciary Committee, which would establish an Officer Down alert system.

Similar to the Amber and Silver alert notification systems for missing children and senior citizens, the Officer Down system would use media broadcasts and messaging signs along highways to help locate the vehicle and individual suspected of assaulting a law enforcement officer.

Under the bill, the following would be required in order to activate the system:

- A law enforcement officer is killed or seriously injured by an offender;
- The offender poses a serious risk or threat to the public and other law enforcement;
- The offender's vehicle, vehicle tag or partial tag is available for broadcast; and
- The law enforcement agency recommends activation of the system.

The establishment of this system, which has already been implemented in other states, would help to protect our law enforcement officers and communities from violent criminals and seek swift apprehension and justice for offenders. The legislation awaits action in the Senate.

Task force working toward acceptable medical marijuana bill

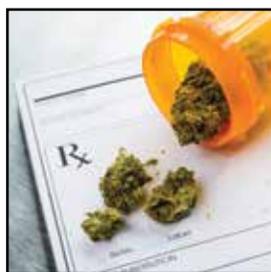
Proposal may see House action soon

Leadership in the state House of Representatives has asked me to be part of a bipartisan group of legislators to craft legislation on medical marijuana that would be passable by the House.

At issue are competing bills before the House. Both would legalize the use of medical marijuana in the commonwealth, but some believe S.B. 3 is too broad, while others believe H.B. 1432 is too narrow. Although each of the bills has its supporters, the belief is that neither bill would garner enough votes for passage.

Many in the General Assembly support legalizing medical marijuana, but, as they say, the devil is in the details. I expect a compromise proposal to be voted on in the coming weeks.

Medical marijuana as a palliative care option is one that an overwhelming number of people in the state want to see made available. It has the capability to ease the pain and suffering from debilitating conditions for which, in some cases, there is no other option for relief. If we can help those suffering, including offering a more normal childhood to children who suffer from multiple, sometimes even hundreds of, seizures a day, we need to do all that we can to make this option available in Pennsylvania. We must tailor the legislation narrowly to ensure that it will be used only for specific medical situations.



A June poll showed that nearly 90 percent of registered voters support the use of medical marijuana.

Protecting victims of rape

My committee solved a problem in Pennsylvania law that forced a raped woman who bears a child to make a difficult choice. Does she seek child support for help in raising the child, which also may force her to endure continued interactions with her rapist through visitation, or does she convince a court to terminate his rights, thereby relieving him of his duty to financially support the child?

It was important to fix this injustice, because no rape victim should be forced to choose between parental rights and child support – and a rapist should be penalized for his crime, not rewarded with parental rights that may further torment his victim.

Act 40 gives the courts authority to terminate the parental rights of a convicted rapist, thereby eliminating the abuser's access to custody of the child. It also preserves the offender's child support obligation even if parental rights are terminated.

Protecting care-dependent people

There's a serious gap in current law that may result in abusive and neglectful caretakers of care-dependent people not being properly punished for their actions.

While most caregivers are professional and offer quality care, it's clear that some have no business caring for our elderly and disabled. This bill would hold those accountable for their actions.

A bill (H.B. 215) was approved in the House that would close that loophole to broaden the definition of neglect while also creating the crime of abuse of a care-dependent person, punishable by up to five years in jail. Neglect would include the failure to provide the treatment, care, goods or services that preserve the health, safety and welfare of the individual.

The new crime would be triggered by striking, shoving or threatening a care-dependent person with physical contact, using obscene or threatening language or harassing him/her.

It's important that we continue to support and protect these individuals who cannot effectively care for themselves.



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Joseph A. Petrarca

220 Irvis Office Building
P.O. Box 202055
Harrisburg, PA 17120-2055

Website: www.pahouse.com/Petrarca
Email: petrarca@pahouse.net
Facebook: www.facebook.com/RepJoePetrarca

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Active committee moves numerous bills

The Judiciary Committee is one of the most active committees in the House, reviewing and acting on hundreds of pieces of legislation. The committee usually meets weekly – sometimes more than once each week – to review and debate issues, bills and policies. To date, more than 300 pieces of legislation have been referred to my committee, and dozens have been reported out.

The following is a list of some of the bills the committee has addressed. I expect many of these bills will become law at some point during the two-year legislative session, but their current status is listed below:

Police training to recognize mental illness (Act 25 of 2015) – Requires magisterial district judges and municipal law enforcement to receive training to recognize mental illness and intellectual disabilities in people and how to handle it. This training gives police and minor judiciary the tools and training to identify these individuals at the earliest point in the criminal justice system and help them get the proper treatment, as well as help police avoid dangerous situations by quickly identifying someone experiencing a mental break and use proven techniques to defuse the situation.

Community awareness (Act 20 of 2015) – Requires counseling service providers to notify the county district attorney and the municipality's chief law enforcement officer if they are offering counseling services to sexually violent predators. This helps ensure that law enforcement is aware of the predator being in their community.

Increased penalties for concealing identity (H.B. 217) – This would require the Pennsylvania Commission on Sentencing to increase the sentencing range for those who commit a robbery while concealing their face to avoid identification. In the Senate Judiciary Committee.

Confidential information in autopsies (H.B. 65) – Under this bill, all audiovisual materials – photos, videos and audio recordings – related to autopsies would be kept confidential, except to law enforcement for their job and a few other limited circumstances. This would protect families from the trauma of seeing the body of their loved one published in the media. In the Senate Judiciary Committee.

Impersonating a doctor (Act 10 of 2015) – Someone who impersonates a medical doctor and provides medical treatment is guilty of a first-degree misdemeanor, a stiffer penalty than under current law. Most people go to a doctor when they are at their most vulnerable, and it's unconscionable for someone to take advantage of them.

Punishment for concealing the death of a child (H.B. 424) – This would close up a loophole in state law to ensure that anyone concealing the death of a child, including a parent or caregiver, is subject to a third-degree felony, which carries a seven-year prison sentence and \$15,000 fine. In Senate Judiciary Committee.

Extra three years probation for sex crimes (H.B. 446) – Any sexually violent predator who has lifetime registration in the Megan's Law sexual offender database, which includes such crimes as kidnapping, rape, incest of a minor and indecent assault of a child younger than 13, would also receive three years of mandatory probation. This was suggested because a significant percentage of maxed out sex offenders remain in prison until the end of their sentence, so when they're released, there's no parole supervision to monitor their transition. In Senate Judiciary Committee.

State Capitol bus trip planned

My December bus trip to the state Capitol was a huge success and I am in the beginning stages of planning another one for May.

Please contact one of my offices if you are interested in learning more about the trip once the details are finalized.

