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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 11

Special Session No. 1 of  
1995

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INTRODUCED BY GREENLEAF, FISHER, O'PAKE, HECKLER, GERLACH,  
TOMLINSON, ULIANA, DELP, BELL, HOLL, JUBELIRER, LOEPER,  
SHAFFER, CORMAN, MELLOW, BODACK, MUSTO, ARMSTRONG,  
BRIGHTBILL, BAKER, ROBBINS, LAVALLE, STEWART, HELFRICK,  
LEMOND, SALVATORE, TILGHMAN, MADIGAN, WENGER, PUNT, MOWERY,  
PETERSON, ANDREZESKI, BELAN, SHUMAKER, RHOADES, STOUT,  
SCHWARTZ, PORTERFIELD, STAPLETON, WAGNER, KASUNIC,  
TARTAGLIONE, DAWIDA, AFFLERBACH AND JONES, JANUARY 24, 1995

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REFERRED TO JUDICIARY, JANUARY 24, 1995

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, further providing for rights of accused in  
3 criminal prosecutions.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of  
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 9 of Article I be amended to read:

9 § 9. Rights of accused in criminal prosecutions.

10 In all criminal prosecutions the accused hath a right to be  
11 heard by himself and his counsel, to demand the nature and cause  
12 of the accusation against him, to [meet the witnesses face to  
13 face] be confronted with the witnesses against him, to have  
14 compulsory process for obtaining witnesses in his favor, and, in  
15 prosecutions by indictment or information, a speedy public trial

1 by an impartial jury of the vicinage; he cannot be compelled to  
2 give evidence against himself, nor can he be deprived of his  
3 life, liberty or property, unless by the judgment of his peers  
4 or the law of the land. The use of a suppressed voluntary  
5 admission or voluntary confession to impeach the credibility of  
6 a person may be permitted and shall not be construed as  
7 compelling a person to give evidence against himself.

8 Notwithstanding the provisions of this section, the General  
9 Assembly may by statute provide for the manner of testimony of  
10 child victims or child material witnesses in criminal  
11 proceedings, including the use of videotaped depositions or  
12 testimony by closed-circuit television.