
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 11

Special Session No. 1 of
1995

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

SENATOR TILGHMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED,
FEBRUARY 13, 1995

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

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

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

14 SECTION 2. THE SECRETARY OF THE COMMONWEALTH SHALL SUBMIT <—
15 THIS PROPOSED CONSTITUTIONAL AMENDMENT TO THE QUALIFIED ELECTORS
16 OF THIS COMMONWEALTH AT THE MUNICIPAL ELECTION OCCURRING IN
17 NOVEMBER 1995. THE SECRETARY OF THE COMMONWEALTH SHALL PROCEED
18 TO COMPLY WITH THE ADVERTISING REQUIREMENTS OF SECTION 1 OF
19 ARTICLE XI OF THE CONSTITUTION OF PENNSYLVANIA AND SHALL
20 TRANSMIT THE REQUIRED ADVERTISEMENTS TO TWO NEWSPAPERS IN EVERY
21 COUNTY IN WHICH SUCH NEWSPAPERS SHALL BE PUBLISHED IN SUFFICIENT
22 TIME THAT THEY BE PUBLISHED AS REQUIRED IN SECTION 1 OF ARTICLE
23 XI.