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**MEMO**

January 11, 2011

**TO:** All House Members

**FROM:** Rep. Tony DeLuca *TD*

**SUBJECT:** Proposed legislation: amending Title 42, re: firearms offenses (HB 655 of 2009)

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In the near future I will be re-introducing legislation (HB655 of 2009) regarding sentencing for offenses committed with firearms. It has come to my attention that due to District Attorney Plea bargaining practices, in many cases, the intent of Title 42 with respect to mandatory five year sentencing upon conviction of a violent crime with a firearm is being disregarded.

My legislation, will add the requirement that the mandatory sentence imposed under Section 9712 of Title 42 shall be imposed consecutively to any other sentence imposed by the court; and prohibits concurrent sentences for such violent offenses.

It is important to take crime by the use of firearms seriously. By allowing these sentences to be run concurrently with other sentences, we are devaluing this sentence for a very dangerous, and life-threatening crime. This sentence should be meted out, and served, on its' own and no longer should we simply look the other way by allowing this sentence to, in a sense, not really be served, when it is served at the same time as another sentence.

Should you wish to add your name as a co-sponsor to this legislation, please contact my office via e-mail at [ldolfi@pahouse.net](mailto:ldolfi@pahouse.net). Thank you.