

DOUGLAS G. REICHLY, MEMBER  
134<sup>TH</sup> LEGISLATIVE DISTRICT

**HARRISBURG OFFICE**  
ROOM 5, EAST WING  
PO BOX 202134  
HARRISBURG, PA 17120-2134  
PHONE: (717) 787-1000  
FAX: (717) 705-7012

**DISTRICT OFFICE**  
1245 CHESTNUT STREET, UNIT #5  
EMMAUS, PA 18049  
PHONE: (610) 965-9933  
FAX: (610) 965-9174

**SATELLITE OFFICE**  
BALLY BROOK INDUSTRIAL PARK  
20 N. FRONT STREET, SUITE 7  
BALLY, PA 19503-9605  
PHONE: (610) 845-1425  
FAX: (610) 845-1427  
E-mail: dreichle@pahousegop.com



## House of Representatives

Commonwealth of Pennsylvania  
Harrisburg

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### MEMORANDUM

**TO:** All House Members

**FROM:** Representative Douglas Reichley

**SUBJECT:** Proposed Legislation – Increased Penalties for Involvement with Stolen Guns (Prior HB 853)

**DATE:** March 7, 2011

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I am preparing to re-introduce legislation to address the serious problem of stolen guns. This bill targets those who knowingly possess stolen guns as well as those who engage in the business of dealing stolen guns.

Presently, the existing penalty for knowing possession of a stolen gun depends on the value of the gun. 18 Pa.C.S. § 3903(b). The penalty is a mere misdemeanor unless the prosecution can prove that the value of the stolen gun exceeds \$2,000. This penalty is clearly inadequate given the seriousness of the offense. Furthermore, information regarding the value can be difficult and time-consuming to gather and prove in court.

My bill will make the penalty for knowingly possessing a stolen gun the same as the existing penalty for stealing a gun. Currently, the crime of stealing a gun is appropriately graded as a second-degree felony. 18 Pa.C.S. § 3903(a)(2). Thus, my bill eliminates the illogical distinction between those criminals who steal guns and those who knowingly possess them, making both offenses second-degree felonies.

In addition, my bill will further punish persons who are engaged in the business of dealing stolen guns. The current penalty – a second-degree felony – is insufficient to reflect our dedication to attacking the stolen gun trade. By raising the grade of this crime to a first-degree felony, my bill will give judges the power to impose more appropriate sentence on stolen gun dealers.

We must take every step to deter people from knowingly possessing or dealing stolen guns, and also to give judges the ability to deal harshly with those who do. This is why I'm proposing to raise the penalties for these crimes.

If you wish to join me as a co-sponsor in this important piece of legislation, please contact my assistant Kendra Wiederhold at 787-1000 or by email at [kwiederh@pahousegop.com](mailto:kwiederh@pahousegop.com). Thank you for your time and consideration.