



Senate of Pennsylvania

July 30, 2012

TO: All Senators

FROM: Senator Dominic Pileggi
Senator John Rafferty
Senator Ted Erickson



RE: Co-sponsorship of Legislation Establishing the
Criminal Offense of Recruiting Criminal Street Gang
Members

We plan to introduce legislation which will establish the criminal offense of "recruiting criminal street gang members" and provide sentencing enhancements for certain offenses committed by criminal street gangs.

The legislation will define the offense of recruiting gang members, including the grading of the offense, as:

- Knowingly soliciting, inviting, encouraging or otherwise causing or attempting to cause a person to participate or remain in a criminal gang as a first degree misdemeanor;
- Knowingly using physical menace, force, threats or other intimidation, causing or attempting to cause a person to participate or remain in a criminal gang as a third degree felony; or
- Knowingly inflicting bodily injury on any person causing or attempting to cause the person to participate or remain in a criminal gang as a third degree felony with a sentencing enhancement.

It will also provide sentencing enhancements for the statutory minimums for "crimes of violence," for the recruiting of members under the age of 18 and the offense of possession with the intent to manufacture or deliver controlled substances if the crimes were committed to benefit, promote or further the interests of a criminal street gang.

This proposed legislation was brought to our attention by the Chester County District Attorney who is in the process of prosecuting 12 individuals between the ages of 16 and 20 for offenses related to the fatal stabbing of two rival gang leaders in rural Chester County.

If you wish to cosponsor this legislation, please contact Michelle Kreiger in Senator Pileggi's office at mkreiger@pasen.gov or 787-4712.

DP/jf