



**Testimony of Michael Piecuch  
Snyder County District Attorney  
On Behalf of the Pennsylvania District Attorneys Association**

**Before the House Judiciary Committee  
Regarding Senate Bill 941 and Senate Bill 943**

**September 12, 2012  
State College, PA**

Good Morning Chairmen Marsico and Caltagirone and other members of the Committee. My name is Michael Piecuch, and I am the District Attorney of Snyder County.

It is an absolute pleasure to speak to the committee. It was not too long ago that I was chief counsel for the Committee, and I am grateful for all you do for public safety and victims. Pennsylvania owes both Chairmen Marsico and Caltagirone and the rest of the Committee an enormous amount of gratitude for your dedication and efforts. I also wanted to thank Chairman Corman for his legislation and significant attempts to address the problems of costs related to drinking on or near campus.

I am here on behalf of the Pennsylvania District Attorneys Association, and I want to focus the bulk of my remarks on SB 943. There is no question that cities and town with colleges and universities benefit enormously from the vibrancy and energy that these schools bring. These schools bring jobs and often invest in their surrounding communities to advance economic development projects and to make their campus areas safer. Indeed, Susquehanna University is an important part of Snyder County.

Unfortunately, college towns and communities also have to contend with the drinking that occurs on campuses as well as the resulting disturbances—from noise issues to violent assaults. Addressing these problems, including prevention, detection and enforcement, takes up time and resources. Effective law enforcement requires reasonable and proactive efforts that reflect the particular university and surrounding neighborhoods. The approach the police may utilize at Susquehanna University is likely different than the approach that the police at the University of Pittsburgh would undertake, for example.

Therefore, the concept of dedicating proceeds from fines related to drinking-related crimes, as reflected in SB 943, in order to help in our collective efforts here, is a good one. I did have some comments on SB 943 for the committee to consider as you examine and evaluation this legislation.

Consideration should be given to permitting eligible municipalities to use some of the fine money for programs to deter underage drinking, binge drinking, and underage drinking and driving. Prevention and education are critical components of addressing the problems of alcohol on campuses, and SB 943 brings us a great opportunity to implement them. Some campuses also have overlapping police jurisdictions, including campus police that are certified under Act 120. In these considerations, consideration needs to be given to how to ensure that the most appropriate police department can utilize any funding that is allocated under this legislation. With regard to SB 941, a fine of \$1,000 may not be proportional since the underlying offense is a summary offense, which normally carries a maximum fine of \$300.

I hope these comments are helpful, and the Pennsylvania District Attorneys Association and I look forward to working with you on these topics.

I also wanted to briefly discuss with you the urgent need to ensure adequate funding for certain programs that help victims of crime, funding streams have begun to dry up. Specifically I am speaking about the Rights and Services Act (RASA) and Victims of Juvenile Offender (VOJO) funding, which support victim-witness positions in the offices of prosecutors, probation departments and victim service agencies. Both are administered by PCCD.

RASA and VOJO funds are the principal source of funding for victim-witness advocates who provide victim rights notification and essential procedural services to victims of crime. Such information includes the status of police investigations, bail decisions, court dates, charging and plea bargaining decisions, court accompaniment, assistance with victim impact statements, sentencing outcomes, filing for crime victims' compensation and the ordering of restitution.

We rely on advocates to fulfill the responsibilities imposed on them by the Crime Victims' Bill of Rights. Without them, advocates, victims and witnesses will not be aware of arrest and court listings, will increasingly not appear in court (which will lead to more cases dismissed and fewer offenders held accountable), will not know what happens to their cases, will not ask for or receive restitution, and in essence, will be uninformed about and not participate in their cases.

Funding for RASA comes from fines from criminal convictions, which are laced into the Crime Victims Compensation Fund. Penalties have not been increased since 2002.

RASA has seen a 20% decrease because collections from these fines have decreased significantly. VOJO, which is a line-item in the budget, has been cut by the current and prior Governor. In fact, the Governor's proposed budget for FY 12-13 zeroed VOJO out completely, but after extensive lobbying by PDAA and victims services organizations, and the help of House and Senate members, the funding was partially restored to \$1.3 million. Consider that just a few years ago VOJO received over \$3 million.

To address this problem, PCCD's Victims' Services Advisory Committee recommends penalty increases that are expected to generate sufficient funds to fund victim services for the next ten years and to sustain the Crime Victim Compensation Fund. VSAC additionally recommends creating a penalty to be assessed to fund technology for victim service providers.

VSAC recommended increasing penalty assessments from \$60 to \$110 to cover the following:

- **Crime Victim Compensation Fund.** Increase penalty assessment by \$15 (\$35 to \$50).
- **Victim Witness Services Fund.** Increase penalty assessment by \$30 (\$25 to \$55).
- **Technology.** Add a new \$5 penalty assessment to assist in funding technology efforts that support victim services.

Given that each \$5 increase in the penalty assessment for adult offenders generates approximately \$1.37 million in revenue, these increases would result in sufficient funding to cover the needed programs.

VSAC also recommended a small increase in the penalty on juvenile offenders, from \$25 to \$35.

I would be happy to discuss this proposal in more detail or at a different time, but because we are discussing increasing fines on certain offenses to help address the costs associated with drinking on college campuses, I believe it is appropriate to also bring up the issues of raising fines to address the costs of helping victims of crimes. The proposal by VSAC is strongly supported by the PDAA.

Thank you for your time and consideration. I will take any questions that you have.