
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 227 Session of
2022

INTRODUCED BY LAWRENCE, SEPTEMBER 13, 2022

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A RESOLUTION

1 Finding that Philadelphia District Attorney Lawrence Krasner is
2 in contempt of the House of Representatives.

3 WHEREAS, The authority to enforce subpoenas of the House of
4 Representatives is found in section 11 of Article II of the
5 Constitution of Pennsylvania, the act of 1842 (P.L.491, No.19),
6 entitled "Witnesses Brought Before the Legislature," 18 Pa.C.S.
7 § 5110 (relating to contempt of General Assembly) and the
8 General Operating Rules of the House of Representatives; and

9 WHEREAS, The Chair of the Select Committee on Restoring Law
10 and Order, pursuant to House Resolution 216, Printer's Number
11 3313 (2022), is authorized, on behalf of the Select Committee,
12 to send for individuals and papers and subpoena witnesses,
13 documents, including electronically stored information, and any
14 other materials under the hand and seal of the chair on matters,
15 as further provided in House Resolution 216, relating to rising
16 rates of crime in the City of Philadelphia, including, but not
17 limited to, the enforcement and prosecution of violent crime and
18 offenses involving the illegal possession of firearms, the use

1 of public funds for enforcing and prosecuting crime and to
2 benefit crime victims in Philadelphia; and

3 WHEREAS, On August 3, 2022, and in accordance with the
4 procedure and scope of authority set forth in House Resolution
5 216, the Chair, on behalf of the Select Committee, issued a
6 subpoena duces tecum on the Office of the District Attorney of
7 Philadelphia, Lawrence Krasner, seeking production of non-
8 privileged documents no later than August 22, 2022; and

9 WHEREAS, Service of the August 3, 2022, subpoena was declined
10 by the District Attorney's Office; and

11 WHEREAS, On August 8, 2022, the Chair, on behalf of the
12 Select Committee, issued an updated subpoena duces tecum
13 ("Subpoena") to District Attorney Krasner's Office, seeking
14 production of non-privileged documents no later than August 22,
15 2022; and

16 WHEREAS, on August 9, 2022, counsel to District Attorney
17 Krasner and his Office accepted service of the Subpoena via
18 email; and

19 WHEREAS, On August 22, 2022, counsel for District Attorney
20 Krasner and his Office responded to the Subpoena, objecting to
21 every request and stating that the Office would not search for,
22 or produce, any responsive documents; and

23 WHEREAS, By letter dated August 24, 2022, the Chair, on
24 behalf of the Select Committee, more fully explained the
25 authority in support of the Subpoena and requested that the
26 Subpoena response be revised and that non-privileged documents
27 be produced by August 31, 2022; and

28 WHEREAS, By letter dated August 31, 2022, counsel for
29 District Attorney Krasner and his Office responded, declining to
30 revise the original response to the Subpoena and again refusing

1 to search for and produce any documents; and

2 WHEREAS, On September 2, 2022, the Chair, on behalf of the
3 Select Committee, issued a Request to Show Cause to District
4 Attorney Krasner's Office ("Request"), which informed District
5 Attorney Krasner of the obligations of the Select Committee
6 under House Rule 51 and requested a response, by September 12,
7 2022, addressing why the Select Committee should not inform the
8 House of Representatives, as required in House Rule 51, of the
9 refusal to comply with the Subpoena, and further, why the House
10 of Representatives should not hold District Attorney Lawrence
11 Krasner in contempt of the House; and

12 WHEREAS, On the same day as the Request to Show Cause was
13 issued, District Attorney Krasner and his Office initiated an
14 action in the Commonwealth Court against the Select Committee
15 and its members seeking to quash the Subpoena and to stop any
16 investigative work of any nature under House Resolution 216; and

17 WHEREAS, On September 9, 2022, in response to a request for a
18 stay or a 10-day extension for the District Attorney to respond
19 to the Request to Show Cause, the Chair offered an extension
20 until Friday, September 16, 2022, under the condition that the
21 District Attorney withdraw the above-mentioned action in
22 Commonwealth Court without prejudice and work in good faith to
23 produce non-privileged records responsive to the Subpoena no
24 later than Friday, September 16, 2022; and

25 WHEREAS, On September 12, 2022, counsel for District Attorney
26 Krasner and his Office rejected the Chair's offer and indicated
27 a continued unwillingness to comply with the Subpoena; and

28 WHEREAS, On the same day that counsel for District Attorney
29 Krasner and his Office rejected the Chair's offer, counsel for
30 District Attorney Krasner and his Office submitted a response to

1 the Chair's Request to Show Cause, citing many of the same
2 arguments previously raised to justify the noncompliance with
3 the Subpoena; and

4 WHEREAS, District Attorney Krasner's willful refusal to
5 comply with the Subpoena issued to his Office by the Chair on
6 behalf of the Select Committee obligates the Select Committee,
7 under House Rule 51, to report such refusal to the House of
8 Representatives, and recommends that the House of
9 Representatives consider contempt proceedings; therefore be it

10 RESOLVED, That the House of Representatives hold District
11 Attorney Lawrence Krasner in contempt; and be it further

12 RESOLVED, That any act of the House of Representatives or the
13 Speaker of the House of Representatives to enforce the contempt
14 shall proceed at such time as authorized by an additional vote
15 of the House of Representatives; and be it further

16 RESOLVED, That, upon adoption, the Chief Clerk shall transmit
17 a copy of this resolution to Philadelphia District Attorney
18 Lawrence Krasner.