

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 218** Session of
1993

INTRODUCED BY GREENLEAF, LEWIS, CORMAN, HART, FISHER, MADIGAN,
ROBBINS, SALVATORE, SCHWARTZ AND SHUMAKER, JANUARY 12, 1993

REFERRED TO JUDICIARY, JANUARY 12, 1993

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for rights of accused in
3 criminal prosecutions.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 9 of Article I be amended to read:

9 § 9. Rights of accused in criminal prosecutions.

10 In all criminal prosecutions the accused hath a right to be
11 heard by himself and his counsel, to demand the nature and cause
12 of the accusation against him, to [meet the witnesses face to
13 face] be confronted with the witnesses against him, to have
14 compulsory process for obtaining witnesses in his favor, and, in
15 prosecutions by indictment or information, a speedy public trial
16 by an impartial jury of the vicinage; he cannot be compelled to
17 give evidence against himself, nor can he be deprived of his
18 life, liberty or property, unless by the judgment of his peers

1 or the law of the land. The use of a suppressed voluntary
2 admission or voluntary confession to impeach the credibility of
3 a person may be permitted and shall not be construed as
4 compelling a person to give evidence against himself.
5 Notwithstanding the provisions of this section, the General
6 Assembly may by statute provide for the manner of testimony of
7 child victims or child material witnesses in criminal
8 proceedings, including the use of videotaped depositions or
9 testimony by closed-circuit television. Nothing in this section
10 shall be construed to prohibit the use of hearsay testimony in a
11 criminal proceeding where such testimony is otherwise admissible
12 by rule, statute or common law.