

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 268 Session of
2001

INTRODUCED BY JAMES, BLAUM, WASHINGTON, LAWLESS, L. I. COHEN,
MYERS, LESCOVITZ, ROBINSON, M. COHEN, CURRY, STEELMAN,
ROONEY, PRESTON, BISHOP, J. WILLIAMS, JOSEPHS, BEBKO-JONES,
ROEBUCK, WATERS, HORSEY, OLIVER, CRUZ, YOUNGBLOOD, THOMAS AND
MANDERINO, JUNE 21, 2001

REFERRED TO COMMITTEE ON RULES, JUNE 21, 2001

A RESOLUTION

1 Directing the Judiciary Committee or a subcommittee or task
2 force to hold public hearings and report on the incidence of
3 racial profiling in this Commonwealth.

4 WHEREAS, We rely on the system of laws that lies at the heart
5 of our Commonwealth and country in order to maintain order and
6 civility in our society; and

7 WHEREAS, The residents of and visitors to this Commonwealth
8 rely on our system of justice and law enforcement to ensure that
9 our system of laws is followed; and

10 WHEREAS, The residents of and visitors to this Commonwealth
11 are from racially and ethnically diverse backgrounds; and

12 WHEREAS, The quality of life in this Commonwealth is
13 positively affected and enhanced by racial and ethnic diversity;
14 and

15 WHEREAS, Racism, actual or perceived, in our Commonwealth and
16 country is a threat to social stability and harmony; and

17 WHEREAS, Racist practices evidenced in the enforcement of our

1 laws or the administration of justice would be among the
2 greatest evils in that they erode confidence and faith in our
3 laws, resulting in instability and discord; and

4 WHEREAS, "Racial profiling" is the practice of conducting a
5 traffic stop based upon the vehicle operator's race or ethnicity
6 or a profile that includes race or ethnicity as a relevant
7 factor in establishing suspicion of criminal conduct; therefore
8 be it

9 RESOLVED, That the House of Representatives direct the
10 Judiciary Committee or a subcommittee or task force, at the
11 election of the chairman of the Judiciary Committee, in
12 consultation with the Governor and the Attorney General to
13 investigate whether the practice of racial profiling exists in
14 this Commonwealth; and be it further

15 RESOLVED, That the expenses incurred by the investigating
16 body in carrying out its responsibilities, including per diem
17 and travel expenses incurred by members and regular staff,
18 expenses for stenographic records and incidental expenses, be
19 paid from appropriate accounts under the control of the Chief
20 Clerk and be in addition to any other amount authorized by the
21 Majority Leader in consultation with the Minority Leader for
22 expenses for contractors, consultants, investigators and staff;
23 and be it further

24 RESOLVED, That the investigating body may hold hearings, take
25 testimony and make its investigations at such places as it deems
26 necessary in this Commonwealth. It may issue subpoenas under the
27 hand and seal of its chairman commanding any person to appear
28 before the investigating body and to answer questions touching
29 matters properly being inquired into by the investigating body
30 and to produce such books, papers, records, documents and other

1 tangible things as the investigating body deems necessary. The
2 subpoenas may be served upon any person and shall have the same
3 effect as subpoenas issued out of the courts of this
4 Commonwealth. Any person who willfully neglects or refuses to
5 testify before the investigating body or to produce any books,
6 papers, records, documents or other tangible things shall be
7 subject to the penalties provided by the laws of this
8 Commonwealth in such case. Each member of the investigating body
9 shall have power to administer oaths and affirmations to
10 witnesses appearing before the investigating body; and be it
11 further

12 RESOLVED, That if the investigating body is a subcommittee or
13 task force, the subcommittee or task force shall issue a report
14 of its activities, findings and recommendations to the Judiciary
15 Committee; and be it further

16 RESOLVED, That the Judiciary Committee may, in the discretion
17 of the chairman, issue a report of the investigating body's
18 activities, findings and recommendations to the House of
19 Representatives; and be it further

20 RESOLVED, That the chairman of the investigating body cause a
21 record of all expenses incurred by the investigating body or the
22 members thereof which are payable at Commonwealth expense to be
23 filed with the Chief Clerk.