
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 173 Session of
2013

INTRODUCED BY NEUMAN, CALTAGIRONE, KORTZ, SNYDER, BRIGGS,
O'BRIEN, CUTLER, CARROLL, MUNDY, SIMS, MAHONEY, FARINA,
D. COSTA AND KAVULICH, MARCH 19, 2013

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 19, 2013

A RESOLUTION

1 Impeaching Joan Orié Melvin, Justice of the Pennsylvania Supreme
2 Court, for misbehavior in office and conviction of an
3 infamous crime.

4 WHEREAS, Article VI, Section 7 of the Constitution of
5 Pennsylvania provides that "All civil officers shall hold their
6 offices on the condition that they behave themselves well while
7 in office, and shall be removed on conviction of misbehavior in
8 office or of any infamous crime."; and

9 WHEREAS, Article II, Section 7 of the Constitution of
10 Pennsylvania provides that "No person hereafter convicted of
11 embezzlement of public moneys, bribery, perjury or other
12 infamous crime, shall be eligible to the General Assembly, or
13 capable of holding any office of trust or profit in this
14 Commonwealth."; and

15 WHEREAS, The Supreme Court of the Commonwealth of
16 Pennsylvania has provided that a felony constitutes an "infamous
17 crime" under the Constitution of Pennsylvania, as discussed by
18 *Commonwealth ex rel. Pennsylvania Attorney General Corbett v.*

1 *Griffin*, 596 Pa. 549 (2008); and

2 WHEREAS, On February 21, 2013, Joan Orié Melvin, a Justice of
3 the Supreme Court of the Commonwealth of Pennsylvania, was
4 convicted by the Court of Common Pleas of Allegheny County of
5 among other crimes three counts of diversion of services and one
6 count of conspiracy-diversion of services, all felonies of the
7 third degree, based on actions taken while holding public
8 office; therefore be it

9 RESOLVED, That Joan Orié Melvin, a Justice of the Supreme
10 Court of the Commonwealth of Pennsylvania, be impeached for
11 misbehavior in office and conviction of an infamous crime and
12 that the following Article of Impeachment be exhibited to the
13 Senate:

14 ARTICLE I

15 On February 21, 2013, Justice Joan Orié Melvin was convicted
16 by the Court of Common Pleas of Allegheny County of four
17 felonies, including three counts of diversion of services and
18 one count of conspiracy-diversion of services, all based on
19 actions taken while holding public office.

20 Wherefore, Justice Joan Orié Melvin is guilty of an
21 impeachable offense warranting removal from office and
22 disqualification to hold any office of trust or profit under
23 this Commonwealth.

24 The House of Representatives hereby reserves to itself the
25 right and ability to exhibit at any time hereafter further
26 Articles of Impeachment against Justice Joan Orié Melvin, reply
27 to any answers which Justice Joan Orié Melvin may make to any
28 Articles of Impeachment which are exhibited and to offer proof
29 at trial in the Senate in support of any Article of Impeachment
30 which shall be exhibited by them.