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

SENATOR LEWIS, JUDICIARY, AS AMENDED, MARCH 23, 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.