
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 150 Session of
2013

INTRODUCED BY KORTZ, CUTLER, D. COSTA, COHEN, CALTAGIRONE,
HARKINS, DeLUCA, READSHAW, MURT AND DENLINGER, MARCH 13, 2013

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 2013

A RESOLUTION

1 Memorializing the Supreme Court of Pennsylvania to adopt the
2 amendment or addition of Rules of Criminal Procedure 513 and
3 513.1 and their comments.

4 WHEREAS, A bedrock of the judicial system of this nation is
5 that we live in an open and free society; and

6 WHEREAS, An important part of that philosophy has been and
7 continues to be open courts with open and public records and
8 documents; and

9 WHEREAS, In criminal cases, such openness of arrest and
10 search warrants and supporting affidavits can sometimes
11 compromise ongoing investigations and persons conducting or
12 assisting in such investigations; and

13 WHEREAS, The Pennsylvania Rules of Criminal Procedure exist
14 to strike a proper balance between the public's right to know
15 and legitimate law enforcement needs and requirements; and

16 WHEREAS, While rules already exist which strike this balance
17 as to search warrants and information, there are proposed rules
18 awaiting approval and promulgation by the Supreme Court of

1 Pennsylvania which address these issues relating to arrest
2 warrants; and

3 WHEREAS, The proposed rules balance the public's right to
4 know with legitimate law enforcement needs and requirements; and

5 WHEREAS, Section 10(c) of Article V of the Constitution of
6 Pennsylvania affords the Supreme Court of Pennsylvania primacy
7 in its procedural rulemaking authority; and

8 WHEREAS, Although the General Assembly has proposed
9 legislation on this topic, it is ever mindful of this separation
10 of powers; therefore be it

11 RESOLVED, That the House of Representatives memorialize the
12 Supreme Court of Pennsylvania to approve and adopt the amendment
13 or addition of Rules of Criminal Procedure 513 and 513.1 and the
14 official comments thereto at its earliest convenience.