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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE RESOLUTION

No. 218 Session of  
2022

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INTRODUCED BY RABB, KINKEAD, HOHENSTEIN, McNEILL, KRAJEWSKI,  
SIMS AND INNAMORATO, JUNE 30, 2022

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REFERRED TO COMMITTEE ON JUDICIARY, JUNE 30, 2022

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A RESOLUTION

1 Directing the Pennsylvania Commission on Crime and Delinquency  
2 to conduct a study and issue a report on how drug delivery  
3 resulting in death (DDRD) convictions affect individuals and  
4 their communities.

5 WHEREAS, The use of drug delivery resulting in death (DDRD)  
6 charges has increased dramatically throughout this Commonwealth;  
7 and

8 WHEREAS, Between 2015 and 2019, the filing of DDRD charges  
9 increased by 356% Statewide; and

10 WHEREAS, York County led the State by filing DDRD charges 100  
11 times during a five-year period, representing 11.48% of the  
12 Statewide total, followed closely by Lancaster County,  
13 representing 11.37% of the Statewide total; and

14 WHEREAS, Bonnie Hoffman, the Director of Public Defense  
15 Reform and Training at the National Association of Criminal  
16 Defense Lawyers, noted that drug use disorders and  
17 criminalization are a health issue that has been pushed into the  
18 criminal justice system; and

19 WHEREAS, According to Ms. Hoffman, in approximately half the

1 cases, DDRD charges are used against an individual who shared  
2 the drug with a friend or loved one; and

3 WHEREAS, DDRD charges disproportionately affect nonwhite  
4 individuals, especially Black men, with charges filed at a  
5 higher level if the victim is white and the dealer is nonwhite;  
6 and

7 WHEREAS, In general, nonwhite defendants were found to have  
8 increased sentence lengths of approximately 2.1 years longer  
9 than white defendants, with the median sentence for nonwhite  
10 defendants being eight years compared to five years for white  
11 defendants; and

12 WHEREAS, The effect of DDRD charges must be thoroughly  
13 studied to identify any racial disparities affecting those  
14 prosecuted, their families and their communities; therefore be  
15 it

16 RESOLVED, That the House of Representatives direct the  
17 Pennsylvania Commission on Crime and Delinquency to conduct a  
18 study and issue a report on how drug delivery resulting in death  
19 (DDRD) convictions affect individuals and their communities; and  
20 be it further

21 RESOLVED, That the House of Representatives recognize drug  
22 use disorders as a public health crisis and understand the  
23 importance of ending overdose deaths and holding those involved  
24 accountable; and be it further

25 RESOLVED, That the House of Representatives acknowledge that  
26 racial bias regarding drug convictions disproportionately  
27 affects nonwhite members of our community; and be it further

28 RESOLVED, That the study by the Pennsylvania Commission on  
29 Crime and Delinquency include recommendations to ensure that  
30 DDRD convictions are being used equitably and with an eye toward

1 commercial drug dealers, rather than family, friends or intimate  
2 partners, who share drugs with an overdose victim; and be it  
3 further

4       RESOLVED, That the Pennsylvania Commission on Crime and  
5 Delinquency transmit the report on the study to the General  
6 Assembly within one year of the adoption of this resolution.