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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE RESOLUTION

No. 314 Session of  
2024

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INTRODUCED BY KHAN, HARRIS, PIELLI, MADSEN, KINSEY, SANCHEZ,  
SCHLOSSBERG, KAZEEM, PARKER, D. MILLER, HOWARD, BOROWSKI,  
KENYATTA, MAYES, HANBIDGE AND STEELE, FEBRUARY 5, 2024

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 5, 2024

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A RESOLUTION

1 Directing the Joint State Government Commission to study  
2 diversion programs and make recommendations for improving  
3 existing diversion programs and establishing new diversion  
4 programs.

5 WHEREAS, Research has demonstrated that depending on punitive  
6 approaches in addressing criminal behavior does not effectively  
7 promote public safety; and

8 WHEREAS, Racial and gender disparities continue to be  
9 prevalent in the criminal justice system as a disproportionate  
10 number of Black individuals and other people of color are  
11 incarcerated; and

12 WHEREAS, Furthermore, those involved with the criminal  
13 justice system as a result of poverty-related crime, mental  
14 health and substance use disorders are unjustly penalized rather  
15 than provided with assistance; and

16 WHEREAS, In order to address these disparities and the  
17 underlying cause of criminal behavior, prosecutors and police  
18 are adopting diversion programs in communities across the

1 nation; and

2 WHEREAS, Diversion is an effective alternative method in  
3 promoting long-term community safety, diverting individuals from  
4 the criminal justice system and reducing recidivism; and

5 WHEREAS, With a focus on rehabilitation and community-based  
6 treatment as opposed to punitive measures, individuals involved  
7 in the criminal justice system have the opportunity to receive  
8 proper support; and

9 WHEREAS, Approaches to diversion include prepolice encounter  
10 diversion, prearrest diversion, precharge diversion and pretrial  
11 diversion; and

12 WHEREAS, Prepolice encounter diversion includes situations in  
13 which police may encounter an emergency that does not require  
14 law enforcement but necessitates crisis hotlines or civilian  
15 responders to mitigate community problems; and

16 WHEREAS, Prearrest diversion programs reduce arrests and  
17 placement in jails by providing law enforcement with the  
18 discretion to divert individuals who have engaged in low-level  
19 offenses; and

20 WHEREAS, Precharge diversion, which can be operated by  
21 courts, law enforcement agencies, prosecutors and community-  
22 based organizations, may divert individuals prior to being  
23 charged with a crime; and

24 WHEREAS, Pretrial diversion programs, such as problem-solving  
25 courts, provide an individual charged with a crime the  
26 opportunity to complete program requirements and may include  
27 deferred adjudication through community service; and

28 WHEREAS, Diversion programs are vital in reforming our  
29 criminal justice system and increasing public safety; therefore  
30 be it

1       RESOLVED, That the House of Representatives direct the Joint  
2 State Government Commission to study diversion programs and make  
3 recommendations for improving existing diversion programs and  
4 establishing new diversion programs; and be it further

5       RESOLVED, That the report shall include recommendations for  
6 improving existing diversion programs and establishing new  
7 programs that other states have successfully implemented or that  
8 are likely to be successful in this Commonwealth; and be it  
9 further

10       RESOLVED, That the report include an explanation of  
11 facilitators of and barriers to existing diversion programs; and  
12 be it further

13       RESOLVED, The Joint State Government Commission report its  
14 findings to the House of Representatives within one year of the  
15 adoption of this resolution.