

**JEFFREY P. PYLE, MEMBER**  
**REPUBLICAN DEPUTY WHIP**

ROOM 147 EAST WING  
PO BOX 202060  
HARRISBURG, PA 17120-2060  
PHONE: (717) 783-5327  
TOLL FREE: (800) 287-0614  
FAX: (717) 260-6511

E-MAIL: [JPYLE@PAHOUSEGOP.COM](mailto:JPYLE@PAHOUSEGOP.COM)  
WEB: [JEFFPYLE.NET](http://JEFFPYLE.NET)



**HOUSE OF REPRESENTATIVES**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

# Memorandum

**COMMITTEES**  
ENVIRONMENTAL RESOURCES & ENERGY  
TRANSPORTATION  
LIQUOR CONTROL  
GAME & FISHERIES

**APPOINTMENTS**  
SUBCOMMITTEE ON MINING - MINORITY CHAIRMAN  
MINING RECLAMATION ADVISORY BOARD  
SPORTSMEN'S - EXECUTIVE COMMITTEE

**CAUCUSES**  
COAL, CHAIR  
FIREFIGHTER  
DIABETES, CHAIR  
PRO-LIFE

**TO:** All House Members

**FROM:** Representative Jeff Pyle  
60th Legislative District *JPP...*

**RE:** Proposed Legislation:  
Sentencing for Drug Trafficking in the Presence of Minors  
(Previously HB 2748, 2009-2010)

**DATE:** December 15, 2010

In the near future, I plan to re-introduce legislation to amend Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes to further provide for sentencing in drug offenses.

This legislation was drafted last session in consultation with a local police department in my district and the county district attorney's office. It is in response to a growing trend in the drug trade - parents, guardians and caregivers trafficking drugs in the presence of their children. One instance in particular that I know of involves a mother of three who was allegedly selling heroin and cocaine out of her home in front of her kids. Other times, my police officers tell me that care-givers will actually use their children as "mules" in their efforts to transport or conceal their drugs.

Under existing law, a person over 18 years of age who commits an offense under Section 13 (a)(14) or (30) of the Controlled Substance, Drug, Device and Cosmetic Act (i.e. selling, manufacturing, trafficking, etc.) would receive a one year minimum mandatory sentence if the delivery or possession with intent to deliver of the controlled substance was to a minor. And, if the adult commits the offense with intent to promote habitual use; engages the minor in the trafficking, transportation, delivery, manufacturing, sale or conveyance; commits the offense on school property; or on a school bus or within 500 feet of a school bus stop, the law provides for an additional two year minimum mandatory sentence.

My legislation would extend these same minimum mandatory sentences to adults who sell or possess with intent to deliver controlled substances in the present of a child and the adult is the minor's parent, guardian or is a person standing in *loco parentis* to the minor (e.g. day care provider or school teacher).

If you would like to be listed as a co-sponsor of this legislation, please call Tracey Mattern at (717) 783-5327 or email at [tmattern@pahousegop.com](mailto:tmattern@pahousegop.com). Thank you for your consideration of this proposal.

JPP:tm

409 FORD ST.  
FORD CITY, PA 16226  
(724) 763-3222

289 ROUTE 85 HWY.  
HOME, PA 15747  
(724) 387-2961

208 1/2 N. RAILROAD AVE.  
APOLLO, PA 15613  
(724) 478-1050