

COMMONWEALTH OF PENNSYLVANIA  
HOUSE OF REPRESENTATIVES  
JUDICIARY COMMITTEE

In re: Conduct of Supreme Court Justice Rolf Larsen

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Stenographic record of hearing held in  
Room 140, Main Capitol, Harrisburg,  
Pennsylvania

Friday, May 13, 1994, 10:07 a.m.

COMMITTEE MEMBERS

- Hon. Thomas Caltagirone, Chairman
- Hon. Jeffrey Piccola, Co-Chairman
- Hon. Frank Dermody, Subcommittee Chairman
- Hon. Daniel Clark, Subcommittee Co-Chairman
- Hon. Gregory Fajt
- Hon. Michael Gruitza
- Hon. Babette Josephs
- Hon. Dennis O'Brien
- Hon. Chris Wogan
- Hon. Harold James
- Hon. Tim Hennessey
- Hon. Kathy Manderino
- Hon. Al Masland
- Hon. Frank Yandrisevits
- Hon. Robert Reber, Jr.
- Hon. Jerry Birmelin
- Hon. Donald Snyder
- Hon. Vincent Hughes
- Hon. Karen Ritter
- Hon. Peter Daley
- Hon. Andrew Carn
- Hon. Frank LaGrotta
- Hon. Lita Indzel Cohen

X

Counsel Present:

J. Clayton Undercofler, Special Counsel  
David R. Moffett, Special Counsel  
William Andring, Counsel to Judiciary Committee  
Mary Woolley, Counsel to Judiciary Committee  
Richard Scott, Counsel to Judiciary Committee

Staff Present:

Margaret Tracarico, Secretary  
Sally Spang  
Karon Haring

Reported by:

Emily R. Clark, CM, RPR

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Representative Snyder	14
Representative Gruitza	17
Representative Cohen	17 & 20

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1 CHAIRMAN CALTAGIRONE: This is the House Judiciary  
2 Committee. I'm Chairman Tom Caltagirone from Berks County.

3 For the record, I would like the roll to be  
4 called, and if the members would, in addition to responding  
5 they're here and present, that they would also mention the  
6 county that they come from.

7 Would you please start the roll call.

8 MS. TRICARICO: Caltagirone.

9 CHAIRMAN CALTAGIRONE: Here. Berks County.

10 MS. TRICARICO: Carn.

11 REPRESENTATIVE CARN: Here. Philadelphia County.

12 MS. TRICARICO: Daley.

13 REPRESENTATIVE DALEY: Here. Fayette and

14 Washington County.

15 MS. TRICARICO: Dermody.

16 REPRESENTATIVE DERMODY: Here. Allegheny County.

17 MS. TRICARICO: Fajt?

18 REPRESENTATIVE FAJT: Here. Allegheny County.

19 MS. TRICARICO: Gruitza.

20 REPRESENTATIVE GRUITZA: Here. Mercer County.

21 MS. TRICARICO: Hughes.

22 REPRESENTATIVE HUGHES: Here. Philadelphia

23 County.

24 MS. TRICARICO: James.

25 REPRESENTATIVE JAMES: Here. Philadelphia

1 County.

2 MS. TRICARICO: Josephs.

3 REPRESENTATIVE JOSEPHS: Philadelphia County.

4 MS. TRICARICO: LaGrotta.

5 REPRESENTATIVE LAGROTTA: Here. Lawrence, Butler,

6 Beaver Counties.

7 MS. TRICARICO: Manderino.

8 REPRESENTATIVE MANDERINO: Here. Philadelphia

9 County.

10 MS. TRICARICO: McNally.

11 Ritter.

12 REPRESENTATIVE RITTER: Here. Lehigh County.

13 MS. TRICARICO: Yandrisevits.

14 REPRESENTATIVE YANDRISEVITS: Here. Lehigh and

15 Northumberland County.

16 MS. TRICARICO: Piccola.

17 CO-CHAIRMAN PICCOLA: Dauphin County is here.

18 MS. TRICARICO: Birmelin.

19 REPRESENTATIVE BIRMELIN: In attendance. Wayne

20 County.

21 MS. TRICARICO: Clark.

22 REPRESENTATIVE CLARK: Here. Juniata, Mifflin,

23 Perry and Snyder Counties.

24 MS. TRICARICO: Cohen.

25 REPRESENTATIVE COHEN: Here. Montgomery County.

1 MS. TRICARICO: Hennessey.

2 REPRESENTATIVE HENNESSEY: Here. Chester County.

3 MS. TRICARICO: Masland.

4 REPRESENTATIVE MASLAND: Here. Cumberland  
5 County.

6 MS. TRICARICO: O'Brien.

7 REPRESENTATIVE O'BRIEN: Present. Philadelphia  
8 County.

9 MS. TRICARICO: Reber.

10 REPRESENTATIVE REBER: Present. Montgomery.

11 MS. TRICARICO: Snyder.

12 REPRESENTATIVE SNYDER: Present. Lehigh County.

13 MS. TRICARICO: Wogan.

14 REPRESENTATIVE WOGAN: Here. Philadelphia.

15 MS. TRICARICO: We have 23 present.

16 CHAIRMAN CALTAGIRONE: Good morning. Today we are  
17 continuing a very daunting, yet necessary, duty. This duty is  
18 outlined by Article VI, Section 4 of the Constitution of the  
19 Commonwealth of Pennsylvania. It gives the House of  
20 Representatives the sole power of impeachment. Today, we must  
21 decide whether to recommend the impeachment of Supreme Court  
22 Justice Rolf Larsen.

23 I must say that we do not face this duty with  
24 enthusiasm. Today marks a sad day in the history of the  
25 Commonwealth. Not since the 1800s has the House taken action

1 to impeach a Supreme Court justice or anyone in high office,  
2 and we approach this important step, this daunting task, with  
3 utmost seriousness.

4           On April the 22nd, the subcommittee on courts  
5 voted unanimously to recommend impeachment proceedings based  
6 on six areas of conduct. As chairman of the full committee, I  
7 accepted the recommendations and scheduled today's hearing.  
8 The allegations of misconduct in office are extremely  
9 serious. The judiciary committee must act on the  
10 subcommittee's recommendation. The subcommittee conducted a  
11 thorough, judicious and intelligent investigation of the  
12 entire case against Justice Larsen.

13           The six articles of impeachment make a strong  
14 basis for the impeachment recommendation by the committee and  
15 action by the full House of Representatives. Therefore, I ask  
16 that we begin the tough, sad and tragic journey to determine  
17 whether the full judiciary committee recommends the  
18 impeachment of Justice Larsen.

19           I recommend that we take the step and move for the  
20 impeachment of Justice Larsen, because to do otherwise would  
21 require us to ignore the articles of impeachment that have  
22 been so well outlined by the subcommittee. We must take  
23 action because our Constitution demands the removal from  
24 office of those who violate their duties and oath of office.  
25 We must take action because the people who have entrusted us

1 with the duty to serve them, expect to have good government,  
2 good courts and good public servants.

3 We must take action because to do otherwise, would  
4 violate our public trust. It would violate our oaths of  
5 office to discharge our duties with fidelity. It would send a  
6 message to the people that people in high places are above the  
7 law. It would confirm the peoples' worst suspicions of  
8 government and worsen the cynicism and malaise that have  
9 existed since the time of Watergate and the Vietnam war.

10 We must take this historic and tragic action  
11 because the system does work. Government does represent the  
12 people and it does stand up for the law.

13 Lastly, I must again state that I take great pride  
14 in the diligence that the subcommittee, members of the special  
15 counsel and staff have displayed in handling this most  
16 difficult duty. I assure you that this process continues  
17 today.

18 Let us now begin considering this weighty matter.  
19 Thank you.

20 Chairman Piccola?

21 CO-CHAIRMAN PICCOLA: Thank you, Mr. Chairman.

22 Several weeks ago when the subcommittee on courts  
23 adopted its recommendations, which this committee will take up  
24 this morning, I indicated that I thought that these votes were  
25 among the most important that we will cast as members of the



1 House of Representatives. I still hold to that belief.

2           The conduct of Justice Larsen, and in my view it  
3 is no longer alleged conduct, based upon the investigation of  
4 the subcommittee, the conduct of Justice Larsen strikes at the  
5 very heart of our judicial system. That system is based on  
6 the concept that the judiciary, judicial branch of government,  
7 is fair and unbiased, and that litigants appearing before that  
8 branch of government have the right to expect fair and  
9 impartial treatment. That was not the case with Justice  
10 Larsen.

11           The evidence against Justice Larsen, in my view,  
12 is overwhelming and compelling, and this committee and the  
13 subcommittee have conducted the investigation and this  
14 procedure with professionalism and dignity. We have, in my  
15 view, put a badge of honor upon the House of Representatives  
16 on the conduct and the manner in which we performed our task.

17           I will be joining with the chairman in urging that  
18 the actions of the subcommittee be adopted, and that this  
19 matter proceed to the full House of Representatives and that  
20 if necessary, the House proceed to take articles of  
21 impeachment to the Senate for trial.

22           CHAIRMAN CALTAGIRONE: Thank you, Chairman  
23 Piccola.

24           Subcommittee Chairman Frank Dermody?

25           REPRESENTATIVE DERMODY: Thank you, Mr. Chairman.

1           Mr. Chairman, before I discuss the report, I would  
2 just like to say a few things. Number one, I would like to  
3 specially thank special counsel, John Moses, Clayton  
4 Undercofler and David Moffitt, who have worked tirelessly on  
5 this investigation and this final report. Without their  
6 efforts and without their help, this would not have become a  
7 reality, and we owe them a debt of gratitude.

8           I would also like to thank the members of the  
9 subcommittee on courts: Mike Gruitza, Babette Josephs, Greg  
10 Fajt, Chairman Clark, Chris Wogan and Dennis O'Brien, Chairman  
11 Piccola and Chairman Caltagirone. They have all worked  
12 tirelessly, also. They have worked diligently, day and night  
13 for the last several months to ensure that this was a fair,  
14 thorough, and bipartisan investigation. I think that all of  
15 us could agree, and I agree with Chairman Piccola and Chairman  
16 Caltagirone, there probably has not been a more bipartisan  
17 effort in this capitol in many, many years as this  
18 investigation was conducted. They all deserve a great debt of  
19 gratitude.

20           I would like to specially thank Chairman  
21 Caltagirone, because without his complete cooperation, without  
22 his hard work, without his leadership, this investigation  
23 could not have moved forward. The people of Pennsylvania owe  
24 him a debt of gratitude.

25           On November 23rd, 1993, the House adopted House

1 Resolution 205 authorizing the House judiciary committee to  
2 investigate the conduct of Justice Rolf Larsen of the Supreme  
3 Court of Pennsylvania, and to determine whether Justice Larsen  
4 is liable to impeachment for misbehavior in office. Under  
5 that resolution, the committee designated the subcommittee on  
6 courts to conduct the investigation.

7           The judiciary committee and the subcommittee  
8 retained John Moses, Clayton Undercofler and David Moffitt to  
9 assist in the investigation, and for the past several months,  
10 we have all reviewed, special counsel and the subcommittee,  
11 have reviewed thousands of pages of grand jury testimony,  
12 documents, exhibits, investigator reports, interviewed  
13 investigators and interviewed witnesses.

14           A preliminary report was issued in March of 1994  
15 and that report identified several areas of conduct  
16 constituting potential grounds for impeachment of Justice  
17 Larsen for further consideration by the committee and  
18 subcommittee.

19           After further investigation, the subcommittee on  
20 courts conducted public hearings in Harrisburg on April 20th  
21 through 21st of 1994. The subcommittee took testimony from  
22 three witnesses and presented a summary of investigative  
23 findings by special counsel. Justice Larsen declined the  
24 subcommittee's invitation to appear before the subcommittee on  
25 April 21st, 1994.

1           The subcommittee's investigation is now  
2 substantially complete. In this report, the subcommittee on  
3 courts reports to the judiciary committee its factual findings  
4 regarding the conduct of Justice Larsen which it has  
5 investigated, its conclusions as to whether Justice Larsen has  
6 engaged in conduct constituting misbehavior in office, and its  
7 recommendation.

8           The subcommittee concluded that the following  
9 alleged actions by Justice Larsen constitute misbehavior in  
10 office:

11           1. That Justice Larsen maintained a system to  
12 specially track selected petitions for allowance of appeal in  
13 cases in which counsel to one of the parties was a friend of  
14 Justice Larsen;

15           that Justice Larsen improperly met ex parte with  
16 Attorney Richard Gilardi and gave preferential treatment to  
17 petitions for allowance of appeal in two cases in which one of  
18 the parties was represented by Mr. Gilardi;

19           that Justice Larsen falsely testified before the  
20 grand jury that the ex parte contact with Richard Gilardi  
21 concerning two pending petitions for allowance of appeal never  
22 took place;

23           that Justice Larsen initiated an improper ex parte  
24 meeting with Judge Eunice Ross in a matter involving a friend  
25 who was counsel to a party in a case pending before Judge

1 Ross;

2 that Justice Larsen deliberately misused the legal  
3 process in making unfounded allegations of criminal and  
4 judicial misconduct against Justices Cappy and Zappala;

5 and, that Justice Larsen misused his position as a  
6 Supreme Court justice to induce court employees to engage in  
7 criminal misconduct.

8 The subcommittee also concluded that, viewed in  
9 the aggregate, Judge Larsen's conduct renders him liable to  
10 impeachment, and that the cumulative effect of Judge Larsen's  
11 misbehavior had the most profound impact on the integrity of  
12 the judiciary as an institution.

13 I urge the full committee to adopt this report,  
14 its conclusions and its recommendations as its own, and refer  
15 this matter to the full House. This investigation has  
16 uncovered evidence of serious misbehavior in office by Justice  
17 Larsen. The future of our Supreme Court hangs in the  
18 balance. The honesty and integrity of the House of  
19 Representatives hangs in the balance. The people of the  
20 Commonwealth of Pennsylvania deserve to have these allegations  
21 of his behavior in office heard and voted on by the full House  
22 of Representatives.

23 Thank you, Mr. Chairman.

24 CHAIRMAN CALTAGIRONE: Thank you.

25 Subcommittee Chair Dan Clark?

1                   REPRESENTATIVE CLARK: Thank you, Mr. Chairman.

2                   I, too, would like to urge the members of the full  
3 judiciary committee to accept the report and recommendation  
4 which the subcommittee on courts has recommended to them for  
5 their adoption.

6                   In our opinion and from our research and from what  
7 we've been able to develop regarding judge Larsen's actions,  
8 his conduct which he engaged in is simply unacceptable. We  
9 cannot condone those actions, and those actions are something  
10 to which this committee should attach the appropriate  
11 consequences.

12                   We hope our action today will continue a process  
13 which upholds the integrity of the judiciary and restores the  
14 confidence in a fair and impartial judicial system. Again, I  
15 would urge our members to accept that report and  
16 recommendation of the subcommittee. Thank you.

17                   CHAIRMAN CALTAGIRONE: I'll recognize  
18 Representative Yandrisevits?

19                   REPRESENTATIVE YANDRISEVITS: Thank you, Mr.  
20 Chairman.

21                   Mr. Chairman, clearly the work of the subcommittee  
22 was thorough and extensive. The report is extremely complete  
23 and, therefore, I move the judiciary committee adopt the  
24 report of the subcommittee on courts.

25                   REPRESENTATIVE SNYDER: Mr. Chairman, I second the

1 motion of Representative Yandrisevits to have the judiciary  
2 committee adopt the subcommittee on court's report that was  
3 conducted in a bipartisan, comprehensive and thorough manner.

4 CHAIRMAN CALTAGIRONE: There's been a motion and a  
5 second. Is there any debate, any questions from any of the  
6 members?

7 (No audible response.)

8 CHAIRMAN CALTAGIRONE: I hear none. Would you  
9 please call the roll.

10 MS. TRICARICO: Caltagirone.

11 CHAIRMAN CALTAGIRONE: Yes.

12 MS. TRICARICO: Carn.

13 REPRESENTATIVE CARN: Yes.

14 MS. TRICARICO: Daley.

15 REPRESENTATIVE DALEY: Yes.

16 MS. TRICARICO: Dermody.

17 REPRESENTATIVE DERMODY: Yes.

18 MS. TRICARICO: Fajt.

19 REPRESENTATIVE FAJT: Yes.

20 MS. TRICARICO: Gruitza?

21 REPRESENTATIVE GRUITZA: Yes.

22 MS. TRICARICO: Hughes.

23 REPRESENTATIVE HUGHES: Yes.

24 MS. TRICARICO: James.

25 REPRESENTATIVE JAMES: Yes.

1 MS. TRICARICO: Josephs.  
2 REPRESENTATIVE JOSEPHS: Yes.  
3 MS. TRICARICO: LaGrotta.  
4 REPRESENTATIVE LAGROTTA: Yes.  
5 MS. TRICARICO: Manderino.  
6 REPRESENTATIVE MANDERINO: Yes.  
7 MS. TRICARICO: Ritter.  
8 REPRESENTATIVE RITTER: Yes.  
9 MS. TRICARICO: Yandrisevits.  
10 REPRESENTATIVE YANDRISEVITS: Yes.  
11 MS. TRICARICO: Piccola.  
12 CO-CHAIRMAN PICCOLA: Yes.  
13 MS. TRICARICO: Birmelin.  
14 REPRESENTATIVE BIRMELIN: Yes.  
15 MS. TRICARICO: Clark.  
16 REPRESENTATIVE CLARK: Yes.  
17 MS. TRICARICO: Cohen.  
18 REPRESENTATIVE COHEN: Yes.  
19 MS. TRICARICO: Hennessey.  
20 REPRESENTATIVE HENNESSEY: Yes.  
21 MS. TRICARICO: Masland.  
22 REPRESENTATIVE MASLAND: Yes.  
23 MS. TRICARICO: O'Brien.  
24 REPRESENTATIVE O'BRIEN: Yes.  
25 MS. TRICARICO: Reber.



1 REPRESENTATIVE REBER: Yes.

2 MS. TRICARICO: Snyder.

3 REPRESENTATIVE SNYDER: Yes.

4 MS. TRICARICO: Wogan.

5 REPRESENTATIVE WOGAN: Yes.

6 MS. TRICARICO: 23 yeas.

7 CHAIRMAN CALTAGIRONE: The resolution has been  
8 approved and will be dealt with.

9 There is a second motion, Representative Gruitza?

10 REPRESENTATIVE GRUITZA: Thank you, Mr. Chairman.

11 I move that the judiciary committee report the  
12 recommendations, findings and conclusions as contained in the  
13 report just adopted, to the floor of the House, as directed by  
14 Resolution 205.

15 CHAIRMAN CALTAGIRONE: Second?

16 REPRESENTATIVE COHEN: Mr. Chairman, I will second  
17 that motion.

18 CHAIRMAN CALTAGIRONE: It's been regularly moved  
19 and seconded. Would you please call the roll?

20 MS. TRICARICO: Caltagirone.

21 CHAIRMAN CALTAGIRONE: Yes.

22 MS. TRICARICO: Carns.

23 REPRESENTATIVE CARNS: Yes.

24 MS. TRICARICO: Daley.

25 REPRESENTATIVE DALEY: Yes.

1 MS. TRICARICO: Dermody.  
2 REPRESENTATIVE DERMODY: Yes.  
3 MS. TRICARICO: Fajt.  
4 REPRESENTATIVE FAJT: Yes.  
5 MS. TRICARICO: Gruitza.  
6 REPRESENTATIVE GRUITZA: Yes.  
7 MS. TRICARICO: Hughes.  
8 REPRESENTATIVE HUGHES: Yes.  
9 MS. TRICARICO: James.  
10 REPRESENTATIVE JAMES: Yes.  
11 MS. TRICARICO: Josephs.  
12 REPRESENTATIVE JOSEPHS: Yes.  
13 MS. TRICARICO: LaGrotta.  
14 REPRESENTATIVE LAGROTTA: Yes.  
15 MS. TRICARICO: Manderino.  
16 REPRESENTATIVE MANDERINO: Yes.  
17 MS. TRICARICO: Ritter.  
18 REPRESENTATIVE RITTER: Yes.  
19 MS. TRICARICO: Yandrisevits.  
20 REPRESENTATIVE YANDRISEVITS: Yes.  
21 MS. TRICARICO: Piccola.  
22 CO-CHAIRMAN PICCOLA: Yes.  
23 MS. TRICARICO: Birmelin.  
24 REPRESENTATIVE BIRMELIN: Yes.  
25 MS. TRICARICO: Clark.

1 REPRESENTATIVE CLARK: Yes.  
2 MS. TRICARICO: Cohen.  
3 REPRESENTATIVE COHEN: Yes.  
4 MS. TRICARICO: Hennessey.  
5 REPRESENTATIVE HENNESSEY: Yes.  
6 MS. TRICARICO: Masland.  
7 REPRESENTATIVE MASLAND: Yes.  
8 MS. TRICARICO: O'Brien.  
9 REPRESENTATIVE O'BRIEN: Yes.  
10 MS. TRICARICO: Manderino.  
11 REPRESENTATIVE MANDERINO: Yes.  
12 MS. TRICARICO: Snyder.  
13 REPRESENTATIVE SNYDER: Yes.  
14 MS. TRICARICO: Wogan.  
15 REPRESENTATIVE WOGAN: Yes.  
16 MS. TRICARICO: There are 23 yeas, zero nays.  
17 CHAIRMAN CALTAGIRONE: The motion will be dealt  
18 with accordingly.  
19 There is a third motion. Subcommittee Chair  
20 Dermody?  
21 REPRESENTATIVE DERMODY: Mr. Chairman, I move that  
22 the committee adopt the resolution to prepare articles of  
23 impeachment against the Honorable Justice Rolf Larsen, and to  
24 report said resolution to the House as part of the committee's  
25 recommendations pursuant to House Resolution 205.

1                   CHAIRMAN CALTAGIRONE: Subcommittee Chair Dan  
2 Clark?

3                   REPRESENTATIVE CLARK: I second that motion, Mr.  
4 Chairman.

5                   CHAIRMAN CALTAGIRONE: Is there any discussion,  
6 debate? Representative Cohen.

7                   REPRESENTATIVE COHEN: Thank you, Mr. Chairman.

8                   Mr. Chairman, as a first-year member of this  
9 committee, I find this to be an awesome task certainly placed  
10 before me, as it is to every member of this committee. And in  
11 thinking about how I was going to vote today and the reasons  
12 why, several things occurred to me.

13                   In 1985, when I first ran to be a commissioner in  
14 Lower Marion Township in Montgomery County, before I decided  
15 to run, I brought together my entire family. My children at  
16 the time were in high school. And I said to them that if I  
17 run and get elected and serve, there will be a great burden  
18 placed not only upon me, but you as members of my family, my  
19 husband, my children, to be, if you will, model citizens.  
20 That we as public officials are, it is mandated upon us that  
21 we in some respects put ourselves to conduct ourselves in a  
22 better posture than the ordinary citizen, that we are held,  
23 rightly or wrongly, by the electorate and by the citizens, to  
24 a higher standard of conduct. Therefore, I told my children  
25 in 1985 that they could not attend parties where liquor was

1 served, that they could not get speeding tickets, et cetera,  
2 because we were all placed and thought to behave in a higher  
3 standard.

4           In 1965, when I was graduated from the University  
5 of Pennsylvania Law School and then took and passed the bar  
6 and became a member of the court, I took an oath, and again,  
7 as an attorney, I was held to a higher standard and a standard  
8 to uphold the law and act in a moral fashion. I think the  
9 same standards have been placed both by society, by our  
10 citizens and certainly by the oath of office that is taken by  
11 our justices to, indeed, act in accordance with such  
12 expectations.

13           I did some research and I came across some  
14 statements that were made by United States Supreme Court  
15 Justice Brandeis which I think would be fitting to read  
16 today. He said: Decency, security and liberty alike demand  
17 that government officials shall be subjected to the same rules  
18 of conduct that are commanded to the citizens. In a  
19 government of laws, existence of the government will be  
20 impaired if it fails to observe the law scrupulously.

21           He also said: If the government becomes a  
22 lawbreaker, it breeds contempt for the law. It invites every  
23 man to become a law unto himself. It becomes anarchy. To  
24 declare that in the administration of the criminal law, the  
25 end justifies the means, to declare that the government may

1 commit crimes in order to secure the conviction of a criminal  
2 would bring terrible retribution.

3           Now, Justice Brandeis's voice was stilled when he  
4 died over 50 years ago, but I think as we listen to his words,  
5 his voice rings out loud and clear in this room to remind us  
6 of our sworn duty to uphold the laws of Pennsylvania, and it  
7 clearly sets before us our task today. We are making history  
8 today. No public official has been impeached in Pennsylvania  
9 since 1811. Never before has a Pennsylvania Supreme Court  
10 justice been the subject of articles of impeachment.

11           Justice Larsen is our second most senior jurist.  
12 I as an attorney and a legislator am deeply offended by the  
13 misuse of the very laws that Justice Larsen is charged with  
14 upholding.

15           I think that our laws are not made to be broken,  
16 and I believe that there was a time during the early 1900s  
17 when the Pennsylvania Supreme Court was held in high esteem  
18 throughout this country's legal communities. Law students  
19 across the nation studied how our court worked and the  
20 decisions it handed down to better understand the legal  
21 process.

22           Much has changed over the years. Today, I think  
23 we are now at a low point in the history of our state Supreme  
24 Court. Judge Larsen's conduct strikes at the very heart of  
25 our judicial system. And now, I believe that there is

1 unwarranted and undesirable attention brought to Pennsylvania,  
2 attention that in some quarters has made our state's judiciary  
3 system a laughing stock.

4           As a citizen, a legislator, an attorney and  
5 certainly as a mother, thinking about our future citizens,  
6 particularly my son is about to take the LSATs and attend law  
7 school, I feel I have a responsibility to bring back the  
8 dignity and the respect to our Pennsylvania Supreme Court, and  
9 that is why I've chosen to vote aye on these resolutions.

10           Thank you, Mr. Chairman.

11           CHAIRMAN CALTAGIRONE: Thank you.

12           Are there any other comments?

13           (No audible response.)

14           CHAIRMAN CALTAGIRONE: Hearing none, please call  
15 the roll.

16           MS. TRICARICO: Caltagirone.

17           CHAIRMAN CALTAGIRONE: Yes.

18           MS. TRICARICO: Carn.

19           REPRESENTATIVE CARN: Yes.

20           MS. TRICARICO: Daley.

21           REPRESENTATIVE DALEY: Yes.

22           MS. TRICARICO: Dermody.

23           REPRESENTATIVE DERMODY: Yes.

24           MS. TRICARICO: Fajt.

25           REPRESENTATIVE FAJT: Yes.

1 MS. TRICARICO: Gruitza.  
2 REPRESENTATIVE GRUITZA: Yes.  
3 MS. TRICARICO: Hughes.  
4 REPRESENTATIVE HUGHES: Yes.  
5 MS. TRICARICO: James.  
6 REPRESENTATIVE JAMES: Yes.  
7 MS. TRICARICO: Josephs.  
8 REPRESENTATIVE JOSEPHS: Yes.  
9 MS. TRICARICO: LaGrotta.  
10 REPRESENTATIVE LAGROTTA: Yes.  
11 MS. TRICARICO: Manderino.  
12 REPRESENTATIVE MANDERINO: Yes.  
13 MS. TRICARICO: Ritter.  
14 REPRESENTATIVE RITTER: Yes.  
15 MS. TRICARICO: Yandrisevits.  
16 REPRESENTATIVE YANDRISEVITS: Yes.  
17 MS. TRICARICO: Piccola.  
18 CO-CHAIRMAN PICCOLA: Yes.  
19 MS. TRICARICO: Birmelin.  
20 REPRESENTATIVE BIRMELIN: Yes.  
21 MS. TRICARICO: Clark.  
22 REPRESENTATIVE CLARK: Yes.  
23 MS. TRICARICO: Cohen.  
24 REPRESENTATIVE COHEN: Yes.  
25 MS. TRICARICO: Hennessey.



1 REPRESENTATIVE HENNESSEY: Yes.

2 MS. TRICARICO: Masland.

3 REPRESENTATIVE MASLAND: Yes.

4 MS. TRICARICO: O'Brien.

5 REPRESENTATIVE O'BRIEN: Yes.

6 MS. TRICARICO: Reber.

7 REPRESENTATIVE REBER: Yes.

8 MS. TRICARICO: Snyder.

9 REPRESENTATIVE SNYDER: Yes.

10 MS. TRICARICO: Wogan.

11 REPRESENTATIVE WOGAN: Yes.

12 MS. TRICARICO: We have 23 yeas, zero nays.

13 CHAIRMAN CALTAGIRONE: The resolution will be so  
14 reported to the full House on Monday, along with the other  
15 motions.

16 Is there any other business to come before the  
17 meeting?

18 (No audible response.)

19 CHAIRMAN CALTAGIRONE: If not, this hearing is  
20 adjourned. Thank you one and all.

21 (Whereupon, the proceeding was concluded at

22 10:30 a.m.)

23 \* \* \* \* \*

24

25

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the within proceedings, and that this copy is a correct transcript of the same.

*Emily Clark*

Emily Clark, CP, CM  
Registered Professional Reporter

NOTARIAL SEAL  
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LEGISLATIVE REFERENCE BUREAU

RESOLUTION

INTRODUCED \_\_\_\_\_, 19 \_\_\_\_\_

BY Caltagirone, SEAT NO. 210

BY Piccola, SEAT NO. 104

BY Dermody, SEAT NO. 118

BY Clark, SEAT NO. 35

BY \_\_\_\_\_, SEAT NO. \_\_\_\_\_

## A RESOLUTION

1 To prepare articles of impeachment.

2 RESOLVED, That a committee of five members of the House of  
3 Representatives, three from the majority party and two from the  
4 minority party, be appointed by the Speaker of the House of  
5 Representatives to prepare articles of impeachment against the  
6 Honorable Rolf Larsen for misbehavior in office.

**REPORT OF COMMITTEE**  
**TO INQUIRY INTO**  
**OFFICIAL CONDUCT OF ACCUSED**

Mr. Caltagirone from the Judiciary Committee to whom were referred House Resolution 205 praying an investigation into the official conduct of Justice Rolf Larsen make the following report:

That they have examined the evidence, adduced in support of the complaint preferred against the said Justice from which it appears

- Justice Larsen maintained a system to specially track selected petitions for allowance of appeal in cases in which counsel to one of the parties was a friend of Justice Larsen;
- improperly met ex parte with Attorney Richard Gilardi, and gave preferential treatment to petitions for allowance of appeal in two cases in which one of the parties was represented by Mr. Gilardi;
- falsely testified before the grand jury that the ex parte contact with Richard Gilardi concerning two pending petitions for allowance of appeal never took place;
- initiated an improper ex parte meeting with Judge Eunice Ross, in a matter involving a friend who was counsel to a party in a case pending before Judge Ross;
- deliberately misused the legal process in making unfounded allegations of criminal and judicial misconduct against Justices Zappala and Cappy; and
- misused his position as a Supreme Court Justice to induce court employees to engage in criminal misconduct.

The Committee therefore submits the following resolution:

RESOLVED, That a Committee be appointed to prepare articles of impeachment against the Honorable Rolf Larsen for misbehavior in office

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