



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL  
HARRISBURG, PA 17120

TOM CORBETT  
ATTORNEY GENERAL

September 17, 2007

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The Honorable Thomas R. Caltagirone  
Chairman, House Judiciary Committee  
Pennsylvania House of Representatives  
106 Irvis Office Building  
Harrisburg, PA 17120

Dear Chairman Caltagirone:

I am writing with regard to two bills which are presently scheduled to be considered by the House Judiciary Committee, House Bills 41 and 1744. While my office recognizes the magnitude of the problem of gun violence within the Commonwealth and lauds the legislation's goal of enhancing the efforts of law enforcement, I have some concerns with the bills as they are currently drafted.

As you know, in 2006 the Legislature dedicated funding to direct and support an effort by the Attorney General's office to coordinate a multifaceted undertaking with the Philadelphia Police Department and District Attorney's office to combat the proliferation of gun crime within the city. Since the Philadelphia Gun Violence Task Force (Task Force) became operational in November of 2006, it has met several critical benchmarks which demonstrate substantial success in the effort to investigate and prosecute incidents of gun violence. To be brief, the Task Force expects to have a full complement of 35 investigators by October; has opened 261 investigations; has arrested 69 individuals; and has seized more than one hundred firearms from the streets of Philadelphia.

This funding provided by the Legislature in the Fiscal Years 2006-2007 and 2007-2008, has been an essential resource which has enabled us to implement this ongoing effort. House Bill 41 and House Bill 1744 both seek to provide my office with significant additional prosecutorial and investigative responsibilities. Since we have prioritized our fight against gun violence in Philadelphia, we have dedicated all presently available resources to that effort. Much of the Task Force funding has been utilized to hire qualified personnel. With the complement of the Task Force combined with that of the state and local police and the District Attorney's offices, the limited resources of the Office of Attorney General, if compelled in the manner contemplated by the legislation in question, could at best make only a relatively modest supplement to the existing structure.

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Furthermore, current law provides local prosecutors with the primary jurisdiction for firearm offenses while still permitting the Office of Attorney General to assist where and when necessary. The structure of this jurisdiction, combined with the statutory provisions for the Task Force, is an appropriate scheme in consideration of the Task Force's progress, the longstanding jurisdictional relationship between the Attorney General and the District Attorneys and the present allocation of personnel and other resources. Thus, the original jurisdiction to prosecute offenses arising from firearms violations should properly remain the purview of the District Attorneys while allowing the Office of Attorney General to assist when required.

Thank you for the opportunity to offer our input on these proposals, and please feel free to contact my office if you wish to discuss this important matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Corbett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

TOM CORBETT  
Attorney General

cc: The Honorable Ronald Marsico, Minority Chairman  
Pennsylvania House Judiciary Committee Members