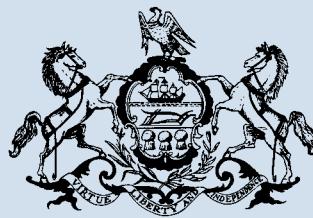


Judiciary Committee UPDATE

State Representative

TIM BRIGGS

149th Legislative District



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In addition to serving as Representative of the 149th District, I have the honor of serving as the Democratic Chairman of the House Judiciary Committee. This appointment has given me the ability to focus on issues that are important to me and my constituents. I am always working to ensure people feel safe in their neighborhoods and communities by fully funding our police, holding bad cops accountable, and funding mental health and social services that can help address the root causes of crime and homelessness.

I believe we need to take commonsense steps to reduce gun violence in our community. This includes banning military-style assault weapons, limiting high-capacity magazines, mandating universal background checks, and preventing dangerous citizens, as well as those experiencing a mental health crisis, from buying guns. You can read more about acting on gun safety reform on the following page.

I am committed to criminal justice reform. Instead of reforming our system and focusing on the root problems, the majority party continues to advance legislation to create new offenses and increase penalties through sentencing enhancements and adding mandatory minimums.

The ‘tough on crime’ approach is failed policy, and it’s not justice. Research shows mandatory minimums do not deter crime or decrease recidivism, and they limit judicial discretion. That is why in this year’s budget process, we prioritized increased funding for more diversionary programs which will reduce prison populations and save taxpayer dollars on inmate housing.



Signing discharge petitions on the House floor to force the Republican majority to bring responsible gun safety reforms up for a vote.



ACTING ON GUN SAFETY REFORM

As Democratic Chairman of the House Judiciary Committee, I led efforts to force votes on several commonsense firearm safety proposals that balance constitutional rights with the safety of our children and our communities. Regrettably, House Republicans stood firm in opposing legislation to require safe storage of guns, and prohibit the sale of assault weapons to individuals under the age of 21, and opposed a red flag law that would empower loved ones and law enforcement to temporarily disarm persons in crisis. They also opposed a bill that gives local municipalities the ability to regulate firearms within their communities.

The Republicans didn't just oppose our commonsense firearm safety bills. They instead passed a bill to allow anyone 18 years or older to carry a concealed firearm anywhere in the Commonwealth without a license. When toddlers are slaughtered in classrooms and the response by the Republican majority is to eliminate the permitting process to carry a firearm, you know we need a fundamental change in the legislature.

The Republicans have been in near complete control of the legislature for nearly 30 years, and they refuse to allow debate on the most widely supported bipartisan gun safety legislation. They've shown that the loss of Pennsylvanians to gun violence isn't enough to spur them to action. Now we know neither



I joined Governor Tom Wolf, Ceasefire PA, state and local officials, advocates, and gun violence survivors at a rally in Philadelphia to urge elected officials to take meaningful action to end gun violence.

is the massacre of grocery shoppers in Buffalo or the innocent children and teachers in Uvalde.

The only way to prevent the next mass shooting of children at school, people shopping in a grocery store, worshipping in a church or synagogue, watching a movie at a movie theater, attending a concert or high school football game, attending a Fourth of July parade, or playing in a playground, is to have lawmakers in Harrisburg willing to vote on these bills.

Unfortunately, guns have overtaken cars as the leading cause of death for Americans under the age of 20. Guns killed more than 45,000 people in the U.S. in 2020, via suicide, homicide, or accidental discharge. I will continue to advocate for real firearm safety reforms, and I will use every tool at my disposal to call out those standing in the way of protecting our communities.

GROWING CONCERN OVER CATALYTIC CONVERTER THEFT

Recently, we have seen a dramatic increase in the theft of catalytic converters. A surge in the value of the rare metals within catalytic converters has led to this spike, creating headaches and unexpected expenses for Pennsylvanians across the Commonwealth. In fact, in many counties, a vehicle will not pass inspection without an intact and properly operating catalytic converter. Without a catalytic converter or the thousands of dollars needed to replace it, a vehicle may be deemed useless to its owner.

To combat these rising thefts, the House Judiciary Committee advanced legislation that would amend the Scrap Material Theft Prevention Act to require scrap processors to collect the year, make, model, and vehicle

identification number of the vehicle from which the catalytic converter was removed, a photograph of the catalytic converter, and contact information and a photo of the seller.

Moreover, payments to the seller would be delayed for 48 hours and if law enforcement places a hold on the catalytic converter, the scrap processor would be required to withhold payment until the hold is lifted by law enforcement. Any scrap processor that fails to collect the information required would be guilty of a misdemeanor of the third degree and pay a fine up to \$5,000. Combined, if passed, these bills will hopefully stem the tide of these frustrating thefts.

OPIOID TALK TAKES CENTER STAGE

On January 10th, the House Judiciary Committee held a public hearing to discuss recent developments of the opioid crisis. We focused on a bill to decriminalize the personal use of fentanyl test strips. The hearing provided moving testimony on how legalizing the possession of these test strips could significantly reduce drug overdose. The House passed the bill, and it awaits action in the Senate.

Fentanyl is a powerful synthetic opioid that is 50 to 100 times stronger than heroin. Very small amounts of the drug can be lethal. While it is available through prescription, fentanyl is also widely manufactured and distributed illegally.

Fentanyl misuse typically occurs when it is mixed with other drugs and sold illegally. As such, individuals who purchase heroin, cocaine, or methamphetamines illegally may unwittingly ingest fentanyl, which oftentimes results in severe adverse effects, including death.

Under current law, fentanyl test strips are considered drug paraphernalia, and possession of such items can subject an individual to arrest.

According to the Center for Disease Control and Prevention, fentanyl is the number one cause of death for Americans ages 18-45, surpassing the rates for suicide, Covid-19, and accident-related deaths. Annually, drug overdoses claim the lives of over 100,000 people in the U.S., and fentanyl was the cause for two-thirds of these deaths.

Dealing with addiction of any type can be a challenge. Coupling that addiction with a highly lethal drug like fentanyl, which can be used to 'cut' other drugs to make them more sellable, poses a significant public health crisis which must be addressed. Enactment of this bill would offer resources to individuals in need and not create hurdles and roadblocks that could lead to more suffering.

GOVERNING THROUGH CONSTITUTIONAL AMENDMENT

The Republican-controlled Legislature has crossed into dangerous territory that threatens the system of checks and balances inside our state government. The Republicans are embracing a tactic to pass constitutional amendments that avoid the Governor's desk and cost millions of taxpayer dollars to meet the advertising requirements for proposed constitutional amendments.

The Republicans have weaponized this process to attack the Governor, the statewide elected supreme court, the environment, women's reproductive rights and abortion access, the election process, and continue to promote the 'big lie' by requiring election audits – all for blatant political power and purposes.

Constitutions are sacred documents, meant to codify and hold sacrosanct the inalienable rights of citizens. These proposals do just the opposite, stripping away rights Pennsylvanians have enjoyed for decades, from an outright abortion ban to making it harder for Pennsylvanians to vote. Unfortunately, these proposals have been voted on without public hearings. Moreover, some of these amendments were added at the last minute under cover of darkness and with less than 24 hours of review.

In the current two-year session, the Republicans have introduced 38 resolutions to change the PA Constitution. The attempts to remake state government to satisfy their most fundamentalist urges should scare every Pennsylvanian. The Governor has brought legal challenges and House Democrats have filed an emergency application to intervene in the matter.

Specifically, House Democrats and the Governor agree that the General Assembly was denied an opportunity to consider each amendment on its own merit. The proposed abortion amendment is too vague, provides no exceptions for maternal health or cases of rape or incest, and invalidates rights already



enshrined in the Constitution. The voter identification requirement substantively alters the constitutional right to "free and equal" elections by changing multiple constitutional provisions and fails to afford the voters the opportunity to vote separately on each change. Historically, amending the state constitution has been used sparingly, as it should be. We will continue to call out the fringe right and their enablers in Harrisburg and make sure constitutional amendments are used to expand individual rights, not take rights away.

STATE BUDGET MAKES HISTORIC INVESTMENTS IN COMMUNITY SAFETY

Although we did not make progress on addressing the gun violence problem by regulating access to firearms, we were successful in budget negotiations to steer funding toward violence reduction programs. As a member of the Pennsylvania Commission on Crime and Delinquency, I welcome these new funding sources to help combat gun violence throughout the Commonwealth.

The Local Law Enforcement Support Grant Program will provide law enforcement with resources to implement information technology improvements, upgrade equipment, cover nontraditional law enforcement personnel costs (such as social workers), support retention and recruitment efforts, provide necessary training, and cover related expenses. This program will be funded by federal ARPA funds and is approved for \$135 million. I also fought to secure funding for two State Police cadet classes.



Upper Merion National Night Out with Chief Tom Nolan and Upper Merion supervisors Carole Kenney and Bill Jenaway.

The \$50 million Gun Violence Investigation and Prosecution Grant Program will be funded using a combination of state and federal ARPA funds to provide grants to county district attorneys' offices and local law enforcement agencies to investigate and prosecute firearm offenses and gun violence. This program aims to improve coordination between federal, state, and local law enforcement, support costs related to investigating and prosecuting gun crimes including purchasing technology, initiatives to trace illegal firearms and identify traffickers, and efforts that aid in the investigation, arrest, and prosecution of crimes involving firearms.

An additional \$3 million will be made available for Philadelphia and Allegheny County to hire assistant district attorneys designated as Special United States Attorneys as part of the Project Safe Neighborhoods program to exclusively prosecute firearms crimes. Moreover, with the support of Attorney General Shapiro, an additional \$1 million will be allocated to the Office of Attorney General earmarked to create a statewide child predator unit. And for the first time, we were able to secure funding of \$100,000 for criminal indigent defense training.

The \$105 million Violence Intervention and Prevention Grant program will be funded using a combination of state funds and federal ARPA money. These grants will allow organizations like YMCAs and Boys and Girls Clubs, as well as municipalities and businesses to address the gun and school violence epidemics happening in neighborhoods across our Commonwealth.



Thanks to PA State Police for the opportunity to tour the new barracks and training center in Skippack.

After the Uvalde mass shooting, additional school safety funding became imperative. We created the School Physical Safety Grant program and provided \$100 million in funding. Also, for the first time, we have taken a serious step toward addressing mental health deficiencies in our schools by allocating \$100 million for Mental Health Grants for School Entities.

The House Democratic Caucus is working with the Governor, Attorney General, and relevant stakeholders to advance an agenda to put people first. The creation and funding of these programs are historic. I hope these funds will make our communities safer, take illegal guns and child predators off our streets, improve training and professionalism in our law enforcement agencies, protect our children when they are at school and provide mental health services to students in need.

DISTRICT OFFICE WORKING FOR YOU

As your State Representative, I will continue to be open, accessible, and prioritize constituent services. My office has helped thousands of our neighbors with a variety of issues that are related to state government. We provide free notary services, assistance with property tax/rent rebate applications, SEPTA Senior ID cards, and other state-related issues.

As you may know, the PA Treasury's Bureau of Unclaimed Property receives hundreds of millions of dollars in unclaimed property every year. Please let us know if you need help looking to see if any of it belongs to you.

Pennsylvania has several programs and services available to help families and people in our region and around the state. If you have questions about

any of these programs, reach out to my office to speak to a staff member.

For all matters concerning state government, including constituent service in the 149th Legislative District, please contact my office.

Sign up to receive occasional community updates via email at RepBriggs.com.

REMOVING HOMOSEXUALITY FROM CRIMES CODE

I am happy to report that Governor Tom Wolf signed legislation to remove references to the term "homosexuality" in the Crimes Code. The signing of this legislation, now Act 73 of 2022, means it is no longer a crime to be gay in Pennsylvania.

The proposal was first introduced by House Democrats and the legislation received unanimous support in the General Assembly. Removing this bigoted, homophobic, and offensive language from our state's statute brings Pennsylvania into the 21st century.

I hope my Republican colleagues will support our LGBTQ+ friends, neighbors, and family members and take the next step to ensure equal dignity under the law by passing LGBTQ+-inclusive nondiscrimination protections that the House Democrats have been pushing for many years.

From its very beginning, Pennsylvania has been a safe and welcoming place for all. I am happy we were able to get this legislation passed, but there is much more work that needs to be done to promote equality and inclusion for all Pennsylvanians.

REPUBLICAN-CONTROLLED LEGISLATURE PRESSES FORWARD WITH CONTINUED ATTACKS ON THE JUDICIARY

What first seemed like an outlier – when a few radical Republican politicians seeking revenge pushed to impeach Supreme Court justices when the court overturned their political congressional gerrymander – is now regular attacks on the independent judiciary by the Republican-controlled legislature. The tempo has picked up the past two sessions since several courts, state and federal, ruled against the former president and his false claims of voter fraud, and since the courts sided with public health officials regarding COVID-19 mitigation measures.

Make no mistake, these court decisions have been consistent with precedent in following the rule of law and advancing the public good. The attacks on the judiciary are purely political.

We all should have learned in middle school the importance of the three branches of government, separation of powers, and checks and balances. Unfortunately, my Republican counterparts in Harrisburg

care more about raw power and using it to advance their political extremism than maintaining the balance of power and respecting the other two branches of government.

Last session, along with the impeachment resolutions, they attempted to implement judicial gerrymandering. Under their scheme, appellate judges would be elected by region, thus giving less-populated Republican areas of the Commonwealth more judges, thus more power. The judicial gerrymander was such a top priority for the Republicans on the Judiciary Committee that it was the very first action that was brought up this session.

Moreover, we are dealing with bills to impose term limits on justices of the state Supreme Court, eliminate retention elections, and usurp the judiciary's constitutional authority to manage its own administration. This is no coincidence; the Supreme Court is controlled by a majority of Democrats after many years of Republican control.

FIREWORK LEGISLATION UPDATE

While this past 4th of July brought fun celebrations and family get-togethers, it also brought incredible noise disturbances. In our neighborhoods, we have been dealing with excessive noise pollution from fireworks that affect seniors, veterans, children, and pets. While there is not enough support for a complete ban, I voted yes on a bill that will help address this issue and will allow municipalities in Montgomery County to regulate their own firework laws.

Act 74 of 2022 offers specific guidance to local governments on reasonable controls for the sale and use of fireworks and will increase the criminal penalties for selling or using consumer fireworks in violation of the act. Local governments will also be able to implement constraints on the times of day that fireworks can be discharged. This act also ensures notice is provided to consumers purchasing fireworks that there are state requirements for setbacks for use, permission to use property, timeframes for use, etc., and that there may be further municipal limitations.





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VOTE BY MAIL

When millions of votes were cast by mail during the pandemic, state and county election officials did their best to implement a new law to accommodate the influx of ballots – in some cases triggering Republican outrage and lawsuits over their decisions. Instead of working together to address the flaws of Republican-passed Act 77, they have instead continued to try to repeal or dismantle the entire law, with some espousing bogus conspiracy theories about widespread fraud and stolen elections.

The Pennsylvania Supreme Court recently ruled that mail-in voting is a legal and constitutional method for

Pennsylvania voters. By upholding the law, this ruling assures that mail-in voting remains in place and Pennsylvanians will be able to cast their ballot legally in person or by mail without any disruption.

Voting is a fundamental right that we must ensure is accessible to all voters. Mail-in voting has been proven to be a safe and secure option for Pennsylvania voters to exercise that right, regardless of circumstances. I will continue to advocate for voting reforms that remove barriers and increase access to voting. Included in these reforms are measures like the K. Leroy Irvis Voting Rights Protection Act, which



would further improve access and security while restoring public faith in our election system.

If you need to request a mail-in ballot, or would like more information on voting by mail, scan the QR code above or visit pavoterservices.pa.gov.

