



MEMORANDUM

TO: The Pennsylvania House Judiciary Committee

FROM: Elizabeth Randol, Legislative Director, ACLU of Pennsylvania

DATE: January 16, 2024

RE: OPPOSITION TO HB 483 P.N. 451 (SOLOMON)

Bill summary: [HB 483](#) (PN 451) would mandate the creation of a [Gun Violence Task Force](#) (GVTF), similar to the one currently operating in Philadelphia, in any county that exceeds a certain threshold for firearm-related deaths. GVTFs would be under the sole authority of the Office of Attorney General and would allow the OAG to assert preemptive prosecutorial jurisdiction for offenses related to the possession, use, manufacture, control, sale or transfer of firearms ([18 § 6105](#)), the unlawful sale or transfer of firearms ([18 § 6111](#)), and similar federal offenses. Annual GVTF reports to the General Assembly would also be required.

On behalf of over 100,000 members and supporters of the ACLU of Pennsylvania, I respectfully urge you to oppose House Bill 483.

HB 483 presumes that the best way to combat firearm-related deaths is to arrest more people and prosecute more cases, which ignores the fact that the majority of firearm-related deaths in Pennsylvania are suicides, not homicides.¹ Rather than allowing local jurisdictions to respond to their individual circumstances, HB 483 would mandate the creation of a GVTF in any county that exceeds the target rate of 10.7 firearm-related deaths per 100,000 residents—a goal set by the U.S. Department of Health and Human Services' Healthy People 2030 initiative.² Using [data](#) from the PA Department of Health, **HB 483 would therefore mandate the creation of a Gun Violence Task Force in 38 counties.**³

HB 483 is part of an on-going effort to usurp local enforcement authority by concentrating it in the Pennsylvania Office of the Attorney General (OAG).

HB 483 would override the authority of local law enforcement and the discretion of county district attorneys to determine whether and how to investigate and prosecute local gun-related violations. Under HB 483, this power would be usurped and/or concentrated in the following ways:

- Each county GVTF would be under the sole authority of the OAG, including control over GVTF funding and determining whether and whom to include as additional members of a county's GVTF.
- In addition to prosecuting cases via a GVTF, the OAG would be granted additional power to empanel its own "individualized investigatory teams" to work in conjunction with the task force.
- With the exceptions of crimes of violence and criminal homicide, the authority of the OAG to assert preemptive jurisdiction is broad and could extend to cases where alleged violations of §§ 6105 and 6111 are not the lead charges.
- Lest the OAG miss out on opportunities to add to its coffers, HB 483 would ensure that preemptive prosecutorial jurisdiction would extend to [asset forfeiture](#) arising from violations of §§ 6105 or 6111.
- Finally, HB 483 would prohibit any challenge to the authority of the OAG to prosecute a case—a clear attempt to insulate the legislation from judicial review.

For these reasons, we urge you to oppose House Bill 483.

¹ Pennsylvania Commission on Crime and Delinquency, [Understanding & Addressing Gun Violence in Pennsylvania](#), 2021.

² U.S. Department of Health and Human Services, [IVP-13: Reduce firearm-related deaths, Healthy People 2030](#).

³ PA Department of Health, [IVP-13: Firearm-related death rate](#).