

Model Resolution (Pennsylvania)



WHEREAS death sentences are reserved for the poor:

⊛ About 90 percent of all people facing capital charges cannot afford their own attorney.

⊛ No state, including Pennsylvania, has met standards developed by the American Bar Association (ABA) for appointment, performance and compensation of counsel for indigent prisoners.

WHEREAS there is ample evidence that the death penalty is applied in a racist manner:

⊛ In 1987, in *McCleskey v. Kemp*, the U.S. Supreme Court refused to act on data demonstrating the continuing reality of racial bias.

⊛ In 1990, the U.S. General Accounting Office reported “a pattern of evidence indicating racial disparities in charging, sentencing and imposition of the death penalty.”

⊛ Nationwide, 82 percent of those put to death had been convicted of murdering a white person, even though people of color are the victims in more than half of all homicides.

⊛ The U.S. Congress has failed repeatedly to pass the Racial Justice Act, which would allow prisoners to challenge their death sentences using standards normal in civil racial discrimination cases.

⊛ In 2003, the Pennsylvania Supreme Court Committee on Racial and Gender Bias recommended a moratorium on executions due to concerns of bias against minorities and the poor.

⊛ Of the more than 200 inmates on Pennsylvania's death row, nearly 70% are people of color, and, at more than 80%, Philadelphia has the highest concentration of African-American death row inmates in the country.

WHEREAS prisoner appeals have been severely curtailed, increasing the risk of imprisonment and execution of innocent people:

⊛ In a series of rulings since 1991, the Supreme Court has drastically restricted the rights of death row prisoners to appeal their convictions and death sentences in federal courts, even in cases where prisoners present compelling evidence of innocence.

⊛ In 1996, new legislation drastically limited federal court review of death penalty appeals and gutted public funding of legal aid services for death row prisoners.

MORATORIUM Now!

Not one more execution!

WHEREAS the American Bar Association has concluded that administration of the death penalty is “a haphazard maze of unfair practices with no internal consistency” and has called for a moratorium on executions.

WHEREAS, Pennsylvania allows the execution of mentally ill offenders in direct contradiction to international standards of human rights and humane treatment of prisoners.

WHEREAS the death penalty is far more costly to taxpayers in the state of Pennsylvania as it costs an estimated 3 million dollars to try a death penalty case; 3 to 10 times more than a life sentence.

Now, therefore, BE IT RESOLVED THAT _____
(organization)

calls on the Governor and our representatives in the Pennsylvania Legislature, and the President of the United States and our representatives in the U.S. Congress, to enact and adopt legislation imposing a moratorium on executions at least until policies and procedures are implemented which:

- ⊛ Ensure that death penalty cases are administered fairly and impartially in accordance with basic due process.
- ⊛ Eliminate the risk that innocent persons may be executed.
- ⊛ Prevent the execution of mentally disabled persons and foreign nationals whose consular rights were violated.

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to Governor Ed Rendell, the Presiding Judge of the Pennsylvania Court of Criminal Appeals, our state representatives, President George W. Bush and members of our Congressional delegation.

Ratified by:

(Group name)

(Contact person)

(Address)

(Phone/email)

Please return ratified resolutions to:

Pennsylvania Abolitionists
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