

# City of Philadelphia



Council of the City of Philadelphia  
Office of the Chief Clerk  
Room 402, City Hall  
Philadelphia

(Resolution No. 060481)

## RESOLUTION

Urging the Pennsylvania General Assembly to pass Senate Bill 1069 called the Innocence Commission Act which will establish the Innocence Commission of Pennsylvania which will study, develop and establish laws and public policy to prevent wrongful convictions of innocent citizens of the Commonwealth of Pennsylvania.

WHEREAS, The Innocence Commission Act seeks to establish the Innocence Commission of Pennsylvania. The Bill was passed unanimously by the Pennsylvania Senate and is currently waiting to be brought up in the Pennsylvania House of Representatives; and

WHEREAS, The purpose of the Innocence Commission of Pennsylvania (“Commission”) is to study the underlying causes of wrongful convictions so that it may make recommendations intended to reduce or eliminate the possibility that innocent persons will be wrongly convicted in the future; and

WHEREAS, The Commission will be composed of approximately 30 members recommended by the Governor, the Chief Justice of the Pennsylvania Supreme Court and members of the General Assembly. Using their recommendations, the Joint State Government Commission shall invite members to participate on the commission based on competence, experience and anticipated commitment. Commission shall be diversely representative of the criminal justice system and geographically representative of Pennsylvania. Members must include one member from the following constituencies: prosecution, defense, and law enforcement, corrections, judiciary and victim assistance; and

WHEREAS, The Commission will have subpoena powers and may establish subcommittees to conduct research, to consider and make recommendations on specific topics to report back to the full Commission; and

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WHEREAS, The Commission will have the duty to review the cases where a innocent person was wrongly convicted, identify the most common causes of the wrongful conviction, identify the laws, rules and procedures implicated by each type of causation, identify through research, experts and discussion potential solutions in the form of legislation, rule or procedure to eliminate each type of causation. Further the commission will consider the cost analysis of each type of causation and include in all reports cost implications, including possible savings of their recommendations; and

WHEREAS, The stability of our justice system is eroded when innocent persons are wrongly convicted. Each wrongful conviction diminishes public confidence in our justice system and calls into question our guarantors of fairness “presumption of innocence” and “proof beyond reasonable doubt”; and

WHEREAS, at the beginning of 2006 only five states, Illinois, Texas, New York, Virginia and Massachusetts had more experience with post-conviction DNA exonerations than Pennsylvania; and

WHEREAS, Pennsylvania has had eight post-conviction DNA exonerations most recently the case of Drew Whitley who served 18 years of a life sentence for a crime he did not commit; and

WHEREAS, DNA exonerations which provide confluence of science and law in shaping our public policy, that frequently reminds us that life and liberty are our justice systems’ most precious and vulnerable assets; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby urge the Pennsylvania General Assembly to pass Senate Bill 1069 which will establish the Innocence Commission of Pennsylvania in order to study the circumstances of innocent persons wrongly convicted.

FURTHER RESOLVED, That an Engrossed copy of this resolution be sent to the Majority and Minority leadership of the Pennsylvania General Assembly, the Philadelphia Delegation of the Pennsylvania General Assembly, and the Governor as a representation of the true wishes and sincere sentiments of this legislative body.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-fifth of May, 2006.

Anna C. Verna  
PRESIDENT OF THE COUNCIL

Patricia Rafferty  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Tasco, Nutter, Ramos, Goode and Miller

Sponsored by: Councilmembers Tasco, Nutter, Ramos, Goode, Miller, Blackwell, Council President Verna, Councilmembers Kenney, Rizzo, Clarke, DiCicco, Reynolds Brown, Kelly, Krajewski and O'Neill