

City of Philadelphia



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

(Resolution No. 120286)

RESOLUTION

Urging the Pennsylvania General Assembly to repeal its expansion of the “Castle Doctrine” law, Pennsylvania’s version of “Stand Your Ground” legislation, before someone in Pennsylvania experiences the loss and anguish of a preventable death.

WHEREAS, Pennsylvania's Castle Doctrine, which became law last year, was expanded to make it optional for someone to seek retreat before using deadly force. This law, along with Florida's "stand your ground" law, does not offer any real additional protections to potential victims of crime, but rather continues to widen the gulf between common sense and self defense and creates a mentality that permits individuals to use deadly force even when it is unwarranted; and

WHEREAS, The Castle Doctrine allows anyone to become a victim of violence for simply approaching a homeowner's porch, front door or walkway. It shifts the burden of proof from the shooter to the person who was shot, who now has to prove that he or she was not an imminent threat to the person wielding the firearm; and

WHEREAS, The City of Philadelphia experiences disproportionate instances of deaths related to gun violence. The murder rate in Philadelphia has risen twice as fast as in other large cities and the majority of those murders are committed with guns; and

WHEREAS, As Summer approaches, the last notion the streets of Philadelphia is in need of is an alleged “citizen” protective solution to violence; and

WHEREAS, The criminal justice system in Philadelphia has seen this doctrine raised as a defense to in an incident in North Philadelphia where a man shot his neighbor to death over a \$100 debt; and

WHEREAS, The Castle Doctrine has the potential of creating more victims as opposed to protecting honest citizens, as shown by the recent tragedy in Florida and a closer review of the Doctrine is necessary in Pennsylvania to prevent unnecessary deaths; now therefore,

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RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby urges the Pennsylvania General Assembly to repeal its expansion of the “Castle Doctrine” law, Pennsylvania’s version of “Stand Your Ground” legislation, before someone in Pennsylvania experiences the loss and anguish of a preventable death.

FURTHER RESOLVED, That a copy of this resolution be transmitted to the leadership of the Pennsylvania General Assembly, the Philadelphia delegation and to Governor Corbett as evidence of the grave concern 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 nineteenth of April, 2012.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Jones, Greenlee and Tasco

Sponsored by: Councilmembers Jones, Greenlee, Tasco, Johnson, Bass, Quiñones Sánchez, Goode, Green, Reynolds Brown and Council President Clarke