



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 230664

Introduced September 28, 2023

Councilmember Lozada

RESOLUTION

Recognizing the immense pain caused to the family of Eddie Irizarry, the residents of 7th District, our Latino community and the City of Philadelphia, by Municipal Court Judge Wendy L. Pew's erroneous decision to dismiss all charges against Mark Dial.

WHEREAS, The Council of the City of Philadelphia offers its deepest condolences to the family of Eddie Irizarry; and

WHEREAS, Officer Mark Dial, within seven seconds of encountering Eddie Irizarry, ended his life, firing six rounds; and

WHEREAS, The Philadelphia Police Department (PPD) initially stated that said Officer Mark Dial shot Eddie Irizarry outside the vehicle after he "lunged at" police with a knife. Dial was suspended with the intent to dismiss after refusing to cooperate with investigators; and

WHEREAS, The PPD recanted their original position on the shooting, after an overwhelming amount of evidence came into the public sphere; and

WHEREAS, The City of Philadelphia strives to foster harmony and cooperation between its residents and the PPD, for the safety and betterment of our communities; and

WHEREAS, Philadelphia Municipal Judge Wendy L. Pew dismissed all charges against Officer Mark Dial, agreeing with defense lawyers who said the officer could have feared for his life, within the seven seconds he first met Eddie Irizarry; and

WHEREAS, In a packed courtroom, in the face of Eddie Irizarry's beloved family members, Judge Wendy L. Pew went on to state that she agreed 100% with the defense, as she threw out the case for a lack of evidence; and

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RESOLUTION NO. 230664 continued

WHEREAS, The people of Philadelphia are keenly interested in justice for Eddie Irizarry, of which both the people and Eddie Irizarry's family were deprived; and

WHEREAS, Despite a preponderance of evidence, Wendy L. Pew failed to serve justice, when justice counted the most; and

WHEREAS, Councilmember Lozada offers her sincerest apologies; and

WHEREAS, On September 26, 2023, The District Attorney's Office released a statement on Municipal Court Judge Wendy L. Pew's dismissal of all criminal charges, including murder, against former Philadelphia Police Officer Mark Dial, disagreeing with the decision for the killing of Eddie Irizarry on August 14, 2023. The statement goes on to say that the Special Investigations Unit prosecutors will be filing an appeal of Wendy L. Pew's decision to the Court of Common Pleas by the end of today. In keeping with their oath to seek justice, they will move to have all criminal charges, including murder, reinstated against Mark Dial; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it does hereby recognize the profound grief caused to the family of Eddie Irizarry, the residents of District 7, the City of Philadelphia, and the people of the United States by Wendy L. Pew's disservice to justice, peace, accountability, and her judicial office.