



# City of Philadelphia

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

## RESOLUTION NO. 240904

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Introduced October 10, 2024

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Councilmember O'Rourke

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## RESOLUTION

Calling on the Pennsylvania State Senate to pass House Bill 999, also known as the Death Penalty Repeal Bill, to abolish the death penalty in the Commonwealth of Pennsylvania.

WHEREAS, The Commonwealth of Pennsylvania employs capital punishment as a form of discipline for the harshest of crimes; and

WHEREAS, Although the Commonwealth of Pennsylvania has not carried out an execution since the 1999 execution of Gary M. Heidnik, Pennsylvania still has the seventh largest death row in the country with 96 individuals currently sitting on death row; and

WHEREAS, In 2023, Governor Josh Shapiro openly called for the General Assembly to repeal the death penalty, and he continued the death penalty moratorium policy initiated by his predecessor Tim Wolf in 2015; and

WHEREAS, The story of the death penalty in Pennsylvania cannot be told without mentioning the history of racial disparities when the death penalty is applied. In 1931, sixteen-year-old Alexander McClay Williams was sentenced to death and was later executed after being found guilty by a all-White, male jury in less than a day, only to have his conviction posthumously vacated 91 years after their execution; and

WHEREAS, It was not until 2002 that legislation passed allowing prisoners access to DNA testing if it may have a bearing on the verdict in their case. Since this legislation passed, 11 men have been exonerated from Pennsylvania's death row based on DNA testing evidence; and

WHEREAS, Since 2000, 50 people have had their death sentences reversed in Pennsylvania as courts found serious legal errors in the inmates' original trials. Courts have cited that in many cases prosecutors have stomped over the rights of defendants by only seeking convictions. Moreover, many individuals have been defended by attorneys who do not understand death penalty law; and

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WHEREAS, Overall an estimated 125 death sentences have been overturned in Pennsylvania due to ineffective assistance of counsel, making it the most common reason to overturn a sentence of death; and

WHEREAS, A study conducted by the National Academy of Sciences found that 4.1% of criminal defendants who are sentenced to death were falsely convicted, meaning that innocent people are sitting on death row waiting for execution for a crime they did not commit; and

WHEREAS, Solitary confinement has also been closely associated with the death penalty. It was not until 2020 that the Pennsylvania policy of mandatory permanent solitary confinement for prisoners on death row was found to be unconstitutional; and

WHEREAS, Research unequivocally shows that the death penalty, in all forms, offers no significant impact to deter or reduce crime. The death penalty affects only a marginal percent of those who commit murder; furthermore, the National Academy of Sciences has concluded that past studies have neither proven nor disproven a deterrent effect; and

WHEREAS, Beyond the lack of a deterrent effect, the death penalty process is also extremely long and costly. Trials involving the death penalty tend to be longer and more drawn out, and the public must bear the high, extended costs of holding individuals on death row; and

WHEREAS, The Commonwealth of Pennsylvania has demonstrated that it is willing to meaningfully reform its criminal justice system. On October 31, 2023, the Pennsylvania House Judiciary Committee voted 15-10 in favor of HB 999, sponsored by Rep. Chris Rabb, and cosponsored by Paul Schemel, which demonstrates bipartisan support for removing the Death Penalty within the Commonwealth; and

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby call upon the Pennsylvania State Senate to pass House Bill 999, the Death Penalty Repeal Bill, to abolish the death penalty in the State of Pennsylvania.