

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE RESOLUTION

No. 402 Session of  
2009

INTRODUCED BY WATERS, BISHOP, JOHNSON, WHEATLEY, YOUNGBLOOD,  
COHEN, CREIGHTON, GINGRICH, GRELL, HALUSKA, JOSEPHS, RAPP,  
K. SMITH, SWANGER AND WALKO, JULY 10, 2009

REFERRED TO COMMITTEE ON JUDICIARY, JULY 10, 2009

## A RESOLUTION

1 Directing the Joint State Government Commission to establish an  
2 advisory committee to study the issues relating to juveniles  
3 with life sentences.

4 WHEREAS, In the United States, more than 2,500 individuals  
5 are serving life sentences without possibility of parole after  
6 being convicted of crimes committed while they were juveniles;  
7 and

8 WHEREAS, 82% of these individuals are people of color; and

9 WHEREAS, No other nation in the world sentences juveniles to  
10 life without possibility of parole; and

11 WHEREAS, The sentencing of juveniles to life without  
12 possibility of parole violates three international treaties,  
13 including the International Covenant on Civil and Political  
14 Rights, the Convention Against Torture and Other Cruel, Inhuman  
15 or Degrading Treatment or Punishment and the International  
16 Convention on the Elimination of All Forms of Racial  
17 Discrimination; and

18 WHEREAS, 26% of individuals sentenced to life without

1 possibility of parole as juveniles were convicted of felony  
2 murder and were not the perpetrators of murder, and in some  
3 instances are serving life sentences while those who actually  
4 were the murderers have served their sentences and have been  
5 released; and

6 WHEREAS, Pennsylvania currently has 445 individuals serving  
7 life sentences after being convicted as juveniles, significantly  
8 more than any other state; and

9 WHEREAS, Pennsylvania is one of thirteen states that can  
10 apply a life sentence with no age minimum; and

11 WHEREAS, The United States Supreme Court banned the  
12 sentencing of juveniles to death as cruel and unusual  
13 punishment; and

14 WHEREAS, Recent neurological research indicates that the  
15 brain areas involved in decision-making, delayed gratification  
16 and reasoning are not fully matured until an individual reaches  
17 at least 20 years of age; and

18 WHEREAS, Juveniles serving life sentences are at much greater  
19 risk for being victims of suicide, assault and rape while in  
20 prison; therefore be it

21 RESOLVED, That the House of Representatives direct the Joint  
22 State Government Commission to establish an advisory committee  
23 to study the issue of juveniles being sentenced to life without  
24 the possibility of parole, to compare the public safety record  
25 of states that use sanctions other than life without parole for  
26 juveniles committing capital offenses, to investigate the causes  
27 of Pennsylvania sentencing more children to life without parole  
28 than any other governmental agency in the world and to  
29 investigate alternatives to meting out life sentences for  
30 juveniles; and be it further

1       RESOLVED, That the advisory committee be comprised of  
2 approximately 30 members and include persons representing all  
3 relevant aspects of the juvenile justice, criminal justice and  
4 social welfare systems, representatives of academia, the faith  
5 community, psychologists and neuroscientists, juvenile justice  
6 advocates, private and public organizations involved in criminal  
7 justice and social welfare issues, former offenders and other  
8 persons who have an interest and expertise in the issue of  
9 juvenile lifers; and be it further

10       RESOLVED, That the advisory committee report to the House of  
11 Representatives with its findings and recommendations no later  
12 than one year from the date that this resolution is adopted.