

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 330 Session of  
2001

INTRODUCED BY GANNON, BROWNE, CALTAGIRONE, CAPPELLI, HERMAN,  
ORIE, DALEY, BUNT AND WOGAN, JANUARY 31, 2001

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 31, 2001

AN ACT

1 Amending the act of June 18, 1998 (P.L.622, No.80), entitled "An  
2 act providing for a procedure and method of execution; and  
3 making repeals," providing for a short title; and further  
4 providing for definitions and for witnesses to execution.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 1 of the act of June 18, 1998 (P.L.622,  
8 No.80), entitled "An act providing for procedure and method of  
9 execution; and making repeals," is repealed.

10 Section 2. The act is amended by adding sections to read:

11 Section 1.1. Short title.

12 This act shall be known and may be cited as the Death Penalty  
13 Implementation Act.

14 Section 1.2. Definitions.

15 The following words and phrases when used in this act shall  
16 have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

18 "Department." The Department of Corrections of the

1 Commonwealth.

2 "Secretary." The Secretary of Corrections of the  
3 Commonwealth.

4 "Victim." The term shall have the same meaning given to it  
5 in section 101 of the act of November 24, 1998 (P.L.882,  
6 No.111), known as the Crime Victims Act.

7 "Victim advocate." The victim advocate within the  
8 Pennsylvania Board of Probation and Parole.

9 Section 3. Section 5 of the act is amended to read:

10 Section 5. Witnesses to execution.--(a) List of  
11 witnesses.--No person except the following shall witness any  
12 execution under the provisions of this act:

13 (1) The superintendent or his designee of the  
14 institution where the execution takes place.

15 (2) Six reputable adult citizens selected by the  
16 secretary.

17 (3) One spiritual adviser, when requested and selected  
18 by the inmate.

19 (4) Not more than six duly accredited representatives of  
20 the news media.

21 (5) Such staff of the department as may be selected by  
22 the secretary.

23 (6) Not more than four victims registered with and  
24 selected by the victim advocate.

25 (7) The inmate's legal counsel of record. If the inmate  
26 has more than one legal counsel of record on the date of  
27 execution, then only one member of the inmate's legal counsel  
28 of record, when requested and selected by the inmate, may  
29 witness the execution.

30 (b) Witnesses.--The Secretary of Corrections may refuse

1 participation by a witness for safety or security reasons. The  
2 department shall make reasonable efforts to provide victims a  
3 viewing area separate and apart from the area to which other  
4 witnesses are admitted.

5 (c) Confidentiality.--The identity of department employees,  
6 department contractors or victims, who participate in the  
7 administration of an execution pursuant to this section, shall  
8 be confidential.

9 Section 4. This act shall take effect in 60 days.