

MEMO



DEC 07 2010

Senate of Pennsylvania

December 6, 2010

TO: ALL SENATORS
FROM: Stewart J. Greenleaf *Stewart*
SUBJECT: Cosponsorship -- **Capital Case Representation Resource Center Act**

I am reintroducing **Senate Bill 223**, enacting the Capital Case Representation Resource Center Act to establish a resource center for attorneys handling capital (death penalty) cases. The resource center will be an independent agency governed by a board of directors and run on a day-to-day basis by an executive director. The center will train attorneys for and coordinate representation in capital cases. In addition to making sure that defendants receive competent representation, the involvement of the resource center in capital cases should expedite the review of these cases by the courts.

The resource center will track capital cases through the trial, appellate and post-conviction stages in order to make sure that persons charged with capital crimes receive continuing and competent representation, and to gather data about capital cases. The resource center, through recruitment and screening, will establish a panel of attorneys who are qualified and available to represent persons charged with capital crimes at all stages in capital cases. The center will provide attorneys involved in capital litigation with assistance in identifying legal issues and preparing legal documents and arguments on behalf of their clients.

Several sessions ago, I introduced similar legislation (1993 Senate Bill 1000) based on the recommendations of the Pennsylvania Task Force on Death Penalty Litigation. More recently, during a Senate Judiciary Committee public hearing, several witnesses encouraged the General Assembly to consider this type of legislation. The General Assembly included \$614,000 in the 2000-2001 budget for training and continuing legal education for attorneys who handle capital cases but this funding has not been continued in more recent years.

Regardless of your position on the death penalty, there is a recognized need to provide capital defendants with competent legal representation. Many of the death penalty cases that have been overturned have been reversed because of ineffective counsel.

If you would like to cosponsor this legislation, please contact Pat Snively of my office by e-mailing her at psnively@pasen.gov.