

STATE SENATOR
MICHAEL J. STACK
5TH SENATORIAL DISTRICT

- SENATE BOX 203005
THE STATE CAPITOL
HARRISBURG, PA 17120-3005
TELEPHONE: (717) 787-9608
FAX: (717) 772-2162
 - 12361 ACADEMY ROAD
PHILADELPHIA, PA 19154-1927
TELEPHONE: (215) 281-2539
FAX: (215) 281-2798
 - 8016 BUSTLETON AVENUE
PHILADELPHIA, PA 19152-2802
TELEPHONE: (215) 695-1020
FAX: (215) 695-1027
- stack@pasenate.com
www.senatorstack.com



Senate of Pennsylvania

COMMITTEES

**BANKING & INSURANCE,
DEMOCRATIC CHAIR**

**APPROPRIATIONS
DEMOCRATIC VICE CHAIR**

**AGING & YOUTH
JUDICIARY**

**LABOR & INDUSTRY
LAW & JUSTICE
POLICY**

APPOINTMENTS

**TEMPLE UNIVERSITY
BOARD OF TRUSTEES**

**JOINT STATE GOVERNMENT
COMMISSION TASK FORCE ON
DECEDENTS' ESTATES LAWS
PHIX ADVISORY COUNCIL**

TO: All Senators

DATE: December 29, 2010

FROM: Senator Mike Stack *MJS*

SUBJECT: Co-sponsorship: Innocence Inquiry Commission

I will soon be **reintroducing Senate Bill 1410 of the 2010-11 Session**, to create the Pennsylvania Innocence Inquiry Commission within the Administrative Office of the Pennsylvania Courts. The Commission would dedicate its efforts to investigating claims of wrongful conviction. We know that the criminal justice system is imperfect and imprisons or penalizes an unknown number of innocent people. These imperfections could not be made any more evident than during the recent juvenile justice corruption scandal in Luzerne County.

The Chief Justice of the Pennsylvania Supreme Court and the President Judge of the Pennsylvania Superior Court would appoint the following eight commission members: common pleas judge, district attorney, crime victim advocate, defense attorney, a citizen who is not an attorney or judicial employee, law enforcement officer and two at-large members.

A claim of factual innocence may be referred to the Commission by any court, person, or agency. The determination of whether to grant a formal inquiry regarding any other claim of factual innocence is at the discretion of the Commission. If the Commission finds sufficient evidence of factual innocence to merit judicial review, the chairperson shall request the president judge to appoint a three-judge panel to convene a special session of the superior court to hear the evidence and grant or deny a dismissal of charges.

A similar commission was established by the North Carolina General Assembly in 2006 and has heard hundreds of inmates' claims of innocence.

Previous co-sponsors included Senators Ferlo, Greenleaf, Hughes, Leach, and Washington.

If you wish to co-sponsor this legislation, please contact my office at 7-9608.