

Amended Version

PA Clergy and Women Religious Statement in Support of Death Penalty Moratorium

We, the undersigned faith leaders, have joined together in support of the moratorium on executions in Pennsylvania. While we come to the issue of the death penalty from a variety of perspectives, we deeply value the sanctity of all human life and believe that pausing executions in order to evaluate the death penalty's human and financial toll on our state is warranted and necessary.

We believe that those who commit violent crimes should be held accountable for their actions, and the public should be protected from those who seek to harm others, but there is strong evidence that we can achieve justice and protect our communities without resorting to more killing in the name of vengeance.

There is little evidence to suggest that the death penalty increases public safety any more than long prison sentences, and there is a great deal of evidence to suggest that the death penalty is applied unevenly and unfairly, even for similar crimes. Some people are sentenced to die because they couldn't afford a better lawyer, or because they stand trial in a county that happens to seek the death penalty frequently. Approximately 65% of men and women on death row in our state are people of color. A system that is applied so unevenly should not be allowed to choose who lives and who dies.

We are also troubled by the possibility of executing an innocent person. Nationally, more than 150 men and women have been released from death row after evidence of their wrongful convictions emerged, including six from Pennsylvania. The execution of an innocent person would be an intolerable injustice.

Further, there is evidence that the death penalty prolongs the suffering of many victims' family members as these cases involve years of legal uncertainty, scores of meaningless death warrants, additional court hearings, and frequent media headlines that can re-traumatize victims and reopen wounds again and again.

Study after study also show that death penalty cases are far more expensive than cases where a sentence of life without parole or other long prison sentences are sought due to the Constitutionally mandated safeguards that are required in all capital cases. The expenditure of the state's limited financial resources should reflect our values, and we must ask ourselves if the resources currently being spent on the pursuit of executions could be redirected to programs that will better serve victims' families and address the root causes of crime.

We've heard repeatedly that asking state workers to carry out executions in our name places an incredible burden on them, one that we may never truly understand. We must also ask ourselves whether it is ever fair to inflict this burden on another human being.

Trinity Evangelical Lutheran Church
ELCA
Gettysburg

Rabbi David Teutsch
Reconstructionist Rabbinical College
Jewish
Wyncote

Pastor Marta Castillo
Nueva Vida Norristown New Life Mennonite Church
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Dr. Al Tizon
City Line Church
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Reverend Patrick Wirick
Epiphany
Evangelical Lutheran Church of America
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Reverend Peter Friedrichs
Unitarian Universalist Church of Delaware County
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Rev. Dr. Lloyd Steffen
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Reverend Rodgers Wood
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Rabbi Phyllis Berman
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Broad Street Ministry
PC (USA)
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Reverend Douglas Hunt
Main Line Unitarian Church
Unitarian Universalist
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Reverend Leslie Kearney
Olivet-Schwenkfelder United Church of Christ
UCC
Norristown

Mr. Urbane Peachey
President, Lancaster Interchurch Peace Witness
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Pastor Bill Golderer
Broad Street Ministry
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Reverend David Taylor
St. Charles Lwanga
Catholic
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Sisters of St. Joseph

Sister Colleen Dauerbach SSJ
Sisters of Saint Joseph of Chestnut Hill
Philadelphia

Sister Mary Claire Kennedy, SSJ
Sisters of St. Joseph of Northwestern Pennsylvania
Erie

Sister Anne Marie Wood
Sisters of St. Joseph, Chestnut Hill
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Sr. Jeanette Bussen, CSJ
Baden

Sr. Dolores Chepiga
New Freedom

Sr. Mary Clifford
Philadelphia

Sr. Mary E. Corbett
Philadelphia

Sr. Catherine Corrigan
Philadelphia

Sr. Margaret Farrant
Springfield

Sr. Madeline Franze
Philadelphia

Sr. Vera Green
Flourtown

Sr. Jean Holtz
New Freedom

Sr. Louise Kane
Philadelphia

Sr. Regina Kropp
Lafayette Hill

Sr. Maria Lannutti
Philadelphia

Sr. Rosemarie Lorenz
Philadelphia

Sr. Rosanne McCabe
Cheltenham

Sr. Mary Carroll McCaffrey
Philadelphia

Sr. Lawrence Elizabeth Sandoli
Philadelphia

Sr. Jacquelyn Staub
Hanover

Sr. Joyce Vales
Manasquan

Sr. Susan Wagaman
McSherrystown

Sr. Mary Esther Lee
Philadelphia

Sr. Cynthia Ludwick
Flourtown

Sr. Kathleen Coll
Wayne

Sr. Roberta Archibald
Philadelphia

Sisters, Servants of the Immaculate Heart of Mary

Sr. Mary Ann Adams
Scranton

Sr. Jean Louise Bachetti
Scranton

Sr. Margaret Gannon
Scranton

Sr. Jane Gaughan
Scranton

Sr. Jane Snyder
Dunmore

Sr. Vincentia Dorsey
Scranton

THE CONSTITUTION PROJECT



Safeguarding Liberty, Justice & the Rule of Law

June 9, 2015

Pennsylvania House Judiciary Committee
26 Ryan Office Building
Capitol Building
Harrisburg, Pennsylvania 17120

Members of the Pennsylvania House Judiciary Committee:

We write to express our support for Governor Tom Wolf's decision to suspend executions in the Commonwealth of Pennsylvania. We are Pennsylvanians who have served as judges, prosecutors, law enforcement officers and corrections officials in the Commonwealth. We have sought convictions and imposed the toughest sentences on those who have brought violence in to our homes and our communities. But we also know how fragile our system of justice can be. Governor Wolf's decision is a measured, appropriate response to mounting evidence that our death penalty is flawed, risks executing the innocent, and currently provides little public safety benefit to Pennsylvanians. We are also gravely concerned about the execution of individuals convicted and sentenced to death through this unsound process as it undermines the credibility of our entire system of justice.

For the above reasons, the Pennsylvania Task Force and Advisory Committee on Capital Punishment is presently examining numerous concerns that have arisen over the years concerning Pennsylvania's death penalty. These serious flaws with the administration of justice include a very high rate of error at death penalty trials, resulting in reversals on appeal. In fact, the vast majority of the over 400 death sentences imposed in Pennsylvania have later been reversed on appeal due to serious errors or misconduct that occurred at trial. The three executions that have occurred in our state since we reenacted the death penalty in 1978 have been the result of death row inmates' decisions to abandon appeals and effectively "volunteer" for execution.

There is also evidence of widely different treatment of people facing the death penalty based on their race. As the Pennsylvania Supreme Court's Committee on Racial and Gender Bias in the Justice System concluded, our state is "second only to Louisiana in the percentage of African Americans on death row" and "one third of the African American death-row inmates in Philadelphia County would have received sentences of life imprisonment if they had not been African American."

And finally, our state has a history of paying lawyers appointed to represent poor people facing the death penalty at some of the lowest rates in the country. This practice incentivizes ineffective, low-quality lawyering on behalf of those on trial for their life. Death sentences are too often imposed on those who had an underpaid, ill-equipped lawyer, rather than on those who are truly the "worst of the worst" offenders. We should not tolerate such an uneven playing field in the courtroom, particularly in capital cases.

These examples are but a snapshot of the documented problems plaguing our death penalty. It is no surprise, then, that in 2011, the Senate adopted Resolution 6 to appoint the bipartisan task force to examine our death penalty system. Governor Wolf appropriately agreed to the task force's request that executions not be carried out while it undertakes its review. As public officials who have sworn to seek justice, we urge the Pennsylvania General Assembly to support this suspension of executions in the

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Commonwealth of Pennsylvania. When our state seeks to take a life, it must first be absolutely sure that the system of justice leading to a death sentence was fair and that that process minimized – to the extent humanly possible – the execution of the innocent. We presently have no such assurance.

Sincerely,

Elizabeth K. Ainslie

Former Assistant United States Attorney, Eastern District of Pennsylvania

Robert J. Cindrich

Former United States District Judge, Western District of Pennsylvania; Former United States Attorney, Western District of Pennsylvania

David Good

Former Superintendent, Pennsylvania Department of Corrections

Peter D. Hardy

Former Assistant United States Attorney, Eastern District of Pennsylvania; Former Trial Attorney, United States Department of Justice

Paul Heroux

Member, Massachusetts House of Representatives (Attleboro); Former Director of Research and Planning, Massachusetts Department of Corrections; Former Assistant to the Commissioner, Philadelphia Prison System

Henry E. Hockeimer, Jr.

Partner, Ballard Spahr LLP; Former Assistant United States Attorney, Western District of Oklahoma

Terence Inch

Professor of Criminal Justice, York College of Pennsylvania; Former Commissioner of Police, Hellam, Pennsylvania; Former Detective Chief Inspector, New Scotland Yard, London

Jack McMahon

Former Assistant District Attorney, Philadelphia

Lauren Ouziel

Professor of Law, Temple University Beasley School of Law; Former Assistant United States Attorney, Southern District of New York

Robert Pietrala

Former Corrections Counselor, State Correctional Institution at Pittsburgh, Pennsylvania

David Scott

Former Deputy Chief of Police, Southeastern Pennsylvania Transportation Authority Police Department

Sandra Thompson

Former County of York Deputy Prosecutor, Former County of York Adult Probation Officer

Stewart R. Wellman

Former Chief Psychologist, State Correctional Institution at Pittsburgh, Pennsylvania

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James West

Former United States Attorney, Middle District of Pennsylvania