



# PACDL

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## FOR IMMEDIATE RELEASE

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### **PACDL Statement on the Release of the Joint State Government Commission's Report on Capital Punishment in the Commonwealth of Pennsylvania**

Harrisburg, PA (June 25, 2018) – The Pennsylvania Association of Criminal Defense Lawyers (PACDL) today released the following statement from Bradley A. Winnick, PACDL President in response to the Joint State Government Commission's *Report on Capital Punishment in Pennsylvania: The Report of the Task Force and Advisory Committee*.

"PACDL has long opposed the penalty of death as a criminal sanction. Every significant study of Pennsylvania's capital punishment system has concluded that it is severely flawed, unreliable, and arbitrarily administered. The report released today by the Joint State Government Commission reiterates that Pennsylvania's procedural system remains deficient. Its findings that Pennsylvania's system does not halt the execution of innocent persons and that Pennsylvania's clemency process fails as a safety net to address factual and procedural errors are sufficient to categorically reject the death penalty and recognize that Pennsylvania's death penalty impedes equal justice under law, both actual and apparent, in criminal proceedings.

All credible studies of Capital Punishment have concluded that it is unworkable and cannot be made workable, efficient or fair. As Justice Blackmun, a Justice with a 20-year history of favoring the death penalty, wrote in 1994, in his dissent in Callins v. Collins,

'...From this day forward, I shall no longer tinker with the machinery of death....Perhaps one day this court will develop procedural rules or verbal formulas that actually will provide consistency, fairness, and reliability in a capital sentencing scheme. I am not optimistic that such a day will come. I am more optimistic, though, that the court eventually will conclude that the effort to eliminate arbitrariness while preserving fairness 'in the infliction of {death}' is so plainly doomed to failure that it, and the death penalty, must be abandoned altogether...I may not live to see that day, but I have faith that eventually it will arrive. The path the Court has chosen lessens us all.'

Now, 25 years after that opinion, and 30 years after PACDL first publicly stated that Capital Punishment should be abolished, the wisdom of Justice Blackmun in *Callins* could not be clearer. The penalty of death should be abolished. PACDL calls on the State Legislature and the Governor to do so with all deliberate speed."

*The Pennsylvania Association of Criminal Defense Lawyers (PACDL) is the leading advocate for Pennsylvania's criminal defense bar. PACDL supports criminal justice reform through judicial and legislative advocacy.*

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