

**CITY OF BALTIMORE
COUNCIL BILL 07-0265R
(Resolution)**

Introduced by: Councilmembers Clarke, Holton, President Rawlings Blake, Councilmembers Kraft, Curran, Conaway, Welch, Middleton, Young
Introduced and adopted: March 12, 2007

A COUNCIL RESOLUTION CONCERNING

**In Support of State Legislation – Senate Bill 211/House Bill 225 – Criminal Law –
Death Penalty – Repeal**

FOR the purpose of supporting this legislation that would repeal the death penalty, repeal procedures and requirements related to the death penalty, and provide that inmates who have been sentenced to death may not be executed and shall be considered as having received a sentence of life imprisonment without the possibility of parole under specified circumstances; urging the Honorable Chair and Members of the Senate Judicial Proceedings Committee, the Honorable Chair and Members of the House Judiciary Committee, and the Baltimore City Delegations to the Maryland General Assembly to support passage of the legislation; and petitioning the Governor to sign the measure into law.

Recitals

This legislation repeals the death penalty in the State of Maryland by repealing the procedures and requirements related to the death penalty and by providing that inmates who have been sentenced to death will be considered as having received a sentence of life imprisonment without the possibility of parole. By passing this legislation and repealing the death penalty, Maryland's unfair and excessively expensive death penalty system will cease to exist, and, in its place, Marylanders will be provided with the viable alternative of life without the possibility of parole.

According to Maryland Citizens Against State Executions (MD CASE), 58% of Baltimore City residents do not support the death penalty. With the crime rate in Baltimore City being as high as it is, Baltimore City law enforcement and prosecutors cannot afford the excessive investment of time, effort, and manpower in prosecuting the small minority of death eligible cases that utilize and require a disproportionate use of resources.

Many of Maryland's elected leaders are ready to repeal the death penalty. Governor Martin O'Malley has stated publicly that he believes the death penalty to be an ineffective crime-fighting tool, and he supports repealing it, as do many of the legislators in the General Assembly. In January, the Maryland Court of Appeals ruled to suspend executions and require that the lethal injection process be redeveloped and submitted for regulatory review. This Court ruling affords the chance for Marylanders to reconsider our State's death penalty and decide whether it is a wise or fair use of State resources.

According to MD CASE, there is significant support for repeal among Maryland's African American community – a key demographic in our City. Sixty-nine percent of African American voters in Maryland support replacing the death penalty with life without parole. On January 19

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 and 20, 2007, Morgan State University and Harvard Law Professor Charles Ogletree hosted a
2 Summit on Race and the Death Penalty. African American clergy from around the State, former
3 and current law enforcement and elected officials spoke in support of repeal at this gathering of
4 Maryland's top religious, political, and community leaders. Former Mayor Kurt Schmoke and
5 former Attorney General J. Joseph Curran participated on a panel of law enforcement specialists
6 who believe repeal is the best option for Maryland.

7 Death penalty cases around the country are on the decline, reaching their lowest point in 30
8 years, and, in 2006, 10 states effectively passed execution suspensions. The national trend is
9 moving steadily away from supporting the death penalty, generating momentum for repeal
10 around the country. Baltimore City has the opportunity to be at the forefront of support for
11 legislation that would reinstate fairness and justice to our criminal justice system.

12 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this
13 Body supports this legislation that would repeal the death penalty, repeal procedures and
14 requirements related to the death penalty, and provide that inmates who have been sentenced to
15 death may not be executed and shall be considered as having received a sentence of life
16 imprisonment without the possibility of parole under specified circumstances; urges the
17 Honorable Chair and Members of the Senate Judicial Proceedings Committee, the Honorable
18 Chair and Members of the House Judiciary Committee, and the Baltimore City Delegations to
19 the Maryland General Assembly to support passage of the legislation; and petitions the Governor
20 to sign the measure into law.

21 **AND BE IT FURTHER RESOLVED,** That the Honorable Chair of the Senate Judicial
22 Proceedings Committee and the Honorable Chair of the House Judiciary Committee are
23 respectfully requested to include this Resolution as part of the Committee record in support for
24 Senate Bill 211/House Bill 225.

25 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Governor, the
26 Mayor, the Honorable Chair and Members of the Senate Judicial Proceedings Committee, the
27 Honorable Chair and Members of the House Judiciary Committee, the Honorable Chair and
28 Members of the Baltimore City Delegation to the Maryland General Assembly, the Executive
29 Director of the Mayor's Office of State Relations, and the Mayor's Legislative Liaison to the
30 City Council.