



Alabama Law Scholarly Commons

H. Thomas Wells, Jr. ABA President
(2008-2009) Collection Speeches

H. Thomas Wells, Jr. ABA President
(2008-2009) Collection

2007

2007-10-09 H. Thomas Wells, Jr. ABA Presidential Speech

H. Thomas Wells Jr.

University of Alabama School of Law

Follow this and additional works at: https://scholarship.law.ua.edu/wells_aba_speeches



Part of the Law Commons

INTRO SELF

Let me begin first by thanking Rep. Daylin Leach of Montgomery County for his help in enabling the American Bar Association to announce its Pennsylvania findings today. We appreciate his work in making this event possible.

I also want to thank Sen. Jim Ferlo of Allegheny, Armstrong and Westmoreland counties for his leadership on this issue over the last few legislative sessions, and for his determination to push for a thorough examination of the death penalty system in Pennsylvania.

**TALKING POINTS
PENNSYLVANIA DEATH PENALTY
ASSESSMENT PROJECT
NEWS CONFERENCE
10:30 A.M. TUESDAY, OCTOBER 9, 2007**

- When you're dealing with the death penalty, you have to be right. ^{JACK CURTIN} The goal of this state assessment is to make sure the process is fair and accurate.

A SYSTEM THAT
TAKES A LIFE
MUST FIRST
GIVE JUSTICE

- Throughout its history, the ABA has worked to assure a fair and accurate criminal justice system. In large part, it's done that by developing standards on everything from investigation of crimes to appeal of convictions and petitions for clemency.
- To assist the states and federal government in conducting those reviews, the ABA ((Section

of Individual Rights and Responsibilities))))
developed benchmarks for death penalty
systems. And the association launched its state
death penalty assessment project.

- Pennsylvania is the ^{last} ~~eight~~ of eight states being
evaluated under that project.
- The ABA takes no position on the death
penalty itself, but in 1997 it called for a
temporary halt on executions until the process
can be made fair and accurate.
- It's important to note that the Pennsylvania
team has not ^{recommended} ~~examined whether there should~~
~~be~~ a moratorium in this state. Instead, it has
focused its attention on what parts of the
existing system must be fixed.

- **The Pennsylvania assessment was conducted by a balanced team of legal experts, all from the Pennsylvania legal community. It included:**

1. **Anne Bowen Poulin, Chair of the Pennsylvania Assessment Team and Professor of Law at Villanova University School of Law;**

2. **Judge Frank Hazel, judge on the Court of Common Pleas in Delaware County, and formerly the District Attorney of Delaware County;**

3. **Mary Ann MacNeil Killinger, Deputy District Attorney for Montgomery County and Chief of the Appellate Division;**

4. **Gregory P. Miller, founding shareholder at Miller, Alfano & Raspanti, and**

formerly Chief of the Criminal Division of the U.S. Attorney's office in Philadelphia, and an Assistant U.S. Attorney in Philadelphia; and

5. David Rudovsky, Senior Fellow at the University of Pennsylvania Law School and a founding partner at Kairys, Rudovsky, Esptein & Messing.

- The team conducted a two-and-a-half year study. The Pennsylvania team and the ABA are releasing the results of that study today.

Among the findings:

- Of 93 ABA protocols, Pennsylvania fully complies with only 7
- The state partially meets 26 of the standards
- It totally fails to comply with 27 protocols

- Because of limited access to information, the team was not able to assess Pennsylvania's compliance with 32 protocols.
- This is not a system that delivers the justice citizens of Pennsylvania expect.
- In the news release in your materials, you will find a list of 9 specific recommendations from the team to help Pennsylvania achieve the justice that the victims of crime, their families and friends, and *all* Pennsylvania's people, deserve.
- Anne Bowen Poulin, who is with me today and is the Chair of the team, will be happy to discuss the details of the findings and recommendations with you.
- The problems found in this assessment strike at the very heart of Pennsylvania's justice

system. We urge Gov. Rendell to order a comprehensive review of the Commonwealth's death penalty system so that the citizens of Pennsylvania can have confidence that justice is being served.