

RES 17-039

Wilmington, Delaware  
June 1, 2017

#4370

Sponsor:

Council  
Member  
McCoy

Co-Sponsor:

Council  
Member  
Harlee

Co-Sponsors:

Council  
Members  
Chukwuocha  
Congo  
Oliver  
Walsh

**WHEREAS**, it is the prerogative of City Council to review and, from time to time, to take positions on legislation and policy changes proposed outside of Wilmington which would impact City residents; and

**WHEREAS**, House Bill 125, which is currently being considered by State lawmakers in the General Assembly, would effectively reinstate the death penalty in Delaware; and

**WHEREAS**, the "Extreme Crimes Protection Act," as it has been named, would revise the State's death penalty statute to ensure compliance with the U.S. Constitution as interpreted by the U.S. Supreme Court and the Delaware Supreme Court; and

**WHEREAS**, these revisions would address the concerns the State's Supreme Court raised when it ruled the State's death penalty statute unconstitutional last year, thereby reinstating the death penalty with certain requirements for the imposition of such a sentence; and

**WHEREAS**, opponents of the death penalty have argued fervently against the measure, citing the risk of executing an innocent person, the unfair application of the sentence, and the failure of the penalty to deter individuals from committing crimes.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council opposes House Bill 125, and the reinstatement of the death penalty in Delaware.

Passed by City Council,  
June 1, 2017

Attest: Maribel Seijo  
City Clerk

Approved as to form this 26<sup>th</sup>  
day of May, 2017.

Dan R. Phelan  
Assistant City Solicitor