

Resolution in Support of a Moratorium on Legal Executions

NOW THEREFORE, BE IT RESOLVED that the City Council of Charlotte, North Carolina calls upon the General Assembly and Governor of the State of North Carolina to:

1. Establish a Study Commission for the purpose of examining the existing death penalty system in this State to determine whether death penalty cases are administered fairly and impartially and in accordance with due process and that the system is operated in a way which ensures that the risk that innocent persons may be executed is minimized;
2. Provide for the implementation of the American Bar Association's Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases and otherwise determine the necessary steps needed to ensure that all persons accused of capital murder receive constitutionally effective assistance of counsel;
3. Provide that the Study Commission report back to the General Assembly within two years with its findings and recommendations and that these findings and recommendations will then be presented in the next available legislative session for debate;
4. Take appropriate measures to prohibit the execution of any prisoner under a sentence of death until a date following the legislative session at which the findings and recommendations of the Study Commission are presented and debated;

PROVIDED THAT nothing in this Resolution shall in any way be interpreted as indicating that the City Council or any of its members oppose the use of capital punishment as a legitimate law enforcement tool if it is imposed fairly, without discrimination, in accordance with due process of law and only after a full and fair trial at which the defendant is represented by constitutionally competent counsel.

CERTIFICATION

I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of Sept. 2000 the reference having been made in Minute Book 115, and recorded in full in Resolution Book 36, Page(s) 419.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of September, 2000.


Brenda R. Freeze, CMC, City Clerk