

Pennsylvania House Votes to Impeach Philadelphia's Progressive D.A.

Republican lawmakers blame Larry Krasner's policies for a surge in gun violence. The State Senate, whose session ends this month, will have to determine whether and how to hold a trial.

By Jacey Fortin

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On the brink of potentially losing their majority for the first time in more than a decade, Republicans in the Pennsylvania House of Representatives on Wednesday voted overwhelmingly to impeach Larry Krasner, the progressive district attorney of Philadelphia, who has clashed with conservatives for years over his approach to crime.

The 107-85 vote, mostly along party lines, was the result of an extraordinary — and likely futile — effort to remove the top elected law enforcement official in one of America's largest cities during a lame-duck session, with control of the House still in the balance. Two razor-tight races that could tilt the chamber to Democrats remain uncalled after last week's election.

The House's action will send the matter to the State Senate, which Republicans control — though not with the two-thirds majority that would be needed to convict and remove Mr. Krasner, who won re-election last year to a second four-year term.

"History will harshly judge this anti-democratic, authoritarian effort to erase Philly's votes — votes by Black, brown and broke people in Philadelphia," Mr. Krasner said in a statement after the vote on Wednesday. "And voters will have the last word."

The Senate, where enthusiasm for Mr. Krasner's removal appears lower even among many Republicans, now finds itself in the unusual situation of determining whether and when to hold a trial, and is expected to caucus to determine next steps.

"I am not aware of any precedents where this has happened, where there's a lame duck, after-the-fact call up of impeachment," said Stephen Ross, a law professor at Penn State University. "So this is somewhat unprecedented. And it is basically up to the Pennsylvania Senate to decide what the procedural rules are."

Shaakirrah Sanders, a visiting professor at Penn State Dickinson Law, said the State Constitution is not clear on what the Senate is required to do, especially since the current session ends this month. "It seems that would be way too quick to ensure the due process rights of the sitting district attorney," she said.

Mr. Krasner was first elected in 2017 as part of a wave of progressive prosecutors ushered into office across the country, amid growing public concerns about racism and over-incarceration in the U.S. criminal justice system. His office has drawn the ire of many conservatives by declining to prosecute some low-level offenses, such as drug possession and prostitution, and seeking more lenient sentences than his predecessors.

Republicans have sought to blame Mr. Krasner for a surge of gun violence in Philadelphia over the past few years, a trend that was common in cities across the United States during the coronavirus pandemic, including those with more traditional prosecutors. In debate on the House floor on Wednesday, they charged him with "misbehavior in office."

"For one individual to completely set aside entire categories of law, as has been done in Philadelphia, is the height of the arrogance of power, and a complete undermining of the rule of law," said Representative Timothy R. Bonner, a Republican who supported impeachment.

More than 400 people have been killed in Philadelphia this year, and there have been more than 1,000 carjackings. Representative Martina White, a Republican who represents part of northeast Philadelphia, was the prime sponsor of the impeachment resolution, and last month accused Mr. Krasner of being "responsible for the rise in crime across our city."

The prosecutor easily won re-election last year with significant support from Black voters in the northern and western parts of the city — neighborhoods that have been the most affected by gun violence. According to his office, homicides in Philadelphia have declined by 5 percent from a year ago today, and crime rates are lower than in the 1990s.

Democrats accused Republicans of abusing the impeachment process to damage Democrats running for office. "Impeachment now seems to be a measure that we're using when we have a disagreement on public policy," said Joanna E. McClinton, the House's leading Democrat, whose district includes parts of Philadelphia, during the House session on Wednesday.

Though no Pennsylvania lawmaker has been impeached in recent years, Republican lawmakers raised the prospect of trying to remove Gov. Tom Wolf, a Democrat, for his handling of the coronavirus pandemic, and threatened to impeach Philadelphia election officials for their management of ballot counting during the 2020 presidential election.

In September, the House voted to hold Mr. Krasner in contempt for refusing to cooperate with a legislative committee investigating his possible impeachment. Mr. Krasner has accused the Republicans leading the committee of a lack of transparency, and of rushing the investigative process in an attempt to seek political points before the midterm elections.

A committee of state lawmakers controlled by Republicans issued a report last month charging that Mr. Krasner had “contributed to a catastrophic rise in violent crime” with his pursuit of progressive criminal justice policies, but stopped short of calling for Mr. Krasner’s impeachment.

House Republicans filed articles of impeachment days later, and a House committee approved them on Tuesday. Mr. Krasner has not been accused of any crime.

Last week, Democrats in Pennsylvania performed better than expected in the midterm elections, and could still take control of the State House after all ballots are counted in two races in the Philadelphia suburbs.

Campbell Robertson contributed reporting.

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