

ARKANSAS

STATISTICAL INFORMATION

Current Governor: Mike Huckabee
Term of Office: Jan. 2003 - Jan. 2007

Legislative Term: Jan - May

Total Inmate Pop.

(As of 5/19/05): 13,929 **White: 54%** **Black: 45%** **Latino/a: <1%** **Other: <1%**

Death Row Pop.

(As of 3/3/05): 37 **White: 16** **Black: 21** **Latino/a: 0** **Other: 0**

EXECUTIONS:

Since 1976: 26 **White: 18** **Black: 7** **Latino/a: 1** **Other: 0**
(As of 5/19/05)

Carried out in 2003: 1

Carried out in 2004: 1

Scheduled for 2005: 0
(through 5/19/05)

INMATES REMOVED FROM DEATH ROW BETWEEN 1973 AND 2004 *(does not include those executed by the state or those who died of natural causes) :*

Total Number: 33

Sentence/Conviction

overturned (minus exonerations): 31

Sentence reduced: 2

Exonerations: 0

Other: 0

RELATED STATUTORY PROVISIONS:

Life without Parole: yes

Prohibits the execution of juvenile offenders: yes

Prohibits the execution of mentally retarded offenders: yes

Prohibits the execution of mentally ill offenders: no

CURRENT STATUS OF THE MORATORIUM:

Moratorium: no

Study: no

HISTORY OF LEGISLATION ADDRESSING ABA ISSUES

Moratorium/Study: Current: None

Previous Years: 2003: One bill, entitled, "The Death Penalty Moratorium Act", died, which would have created the Commission on the Death Penalty to study all matters relating to the administration of the death penalty to determine whether it comports with constitutional principles and requirements of fairness, justice, equality and due process; provides for a moratorium until the General Assembly can consider the findings of the commission. (HB2226) 2001 : One bill introduced recommended a moratorium on the death penalty when DNA evidence could exonerate.

Capital Offenses and Procedures: Current: None

Previous Years: None.

Aggravating and Mitigating Circumstances: Current: None

Previous Years: None.

DNA Testing and Preservation of Material Evidence: Current: 2005: The Governor signed into action an act concerning the statute of limitation for prosecutions based on DNA evidence and post-conviction appeals based on DNA and other scientific evidence (HB2857 became Act 2250).

Previous: None.

Crime Labs and Medical Examiner Offices: Current: None

Previous: None.

Counsel Qualifications, Training, and Competency: Current: None

Previous Years: 2001 : One bill signed into law that makes technical changes in procedure for appointment of counsel, particularly in terms of relative priority of public defenders and private appointed counsel; Also provides that there be no maximum amount of compensation to appointed counsel in capital cases (Act 1799 of 2001).

**Counsel
Compensation:**

Current: None

Previous Years: 2001: See Counsel Competency; 1997: A bill passed that provides for the appointment and compensation for post conviction counsel and to provide for time limitations in capital post conviction proceedings.

Judges and Juries:

Current: None

Previous Years: None.

**Racial and Ethnic
Minorities:**

Current: None

Previous Years: None.

Juvenile Offenders:

Current: 2005: An Act failed sine die 5/13/05 which would exempt juveniles who were sixteen (16) or seventeen (17) years of age at the time the offense was committed from receiving the death penalty (SB316).

Previous Years: 2003: One bill withdrawn banning the execution of juvenile offenders (HB1313). Another bill banning the execution of juvenile offenders failed in the House (HB1632). 2001: One bill passed in the Senate but defeated in the House would have prohibited the death penalty for defendants 18 years or younger at the time of their offense; One bill defeated would have prohibited the death penalty for defendants under 17 at the time of their offense.

Current: None

**Mental Retardation,
Mental Disability and
Mental Competency:**

Previous Years: None.

**STATE AND LOCAL GOVERNMENTS AND LEGAL
ORGANIZATIONS THAT HAVE PASSED MORATORIUM**

Black Law Student Association, University of Arkansas School of Law

****Last Updated on June 27, 2005**