

DELAWARE

STATISTICAL INFORMATION

Current Governor: Ruth Ann Minner
Term of Office: Jan. 2005 -Jan. 2009

Legislative Term: Jan. - June

Total Inmate Pop.

(As of 1/27/05): 6,537 **White: 32% Black: 63% Latino/a: 4% Other: 0%**
(statistics not up to date)

Death Row Pop.

(As of 5/20/05): 16 **White: 10 Black: 4 Latino/a: 2 Other: 0**

EXECUTIONS:

Since 1976: 13 **White: 6 Black: 6 Latino/a: 0 Other: 1**
(As of 5/20/05)

Carried out in 2003: 0

Carried out in 2004: 0

Scheduled for 2005: 1
(through 5/20/05)

INMATES REMOVED FROM DEATH ROW BETWEEN 1973 AND 2005

(does not include those executed by the state or those who died of natural causes) :

Total Number: 21

Sentence/Conviction overturned (minus exonerations): 21

Sentence reduced: 0

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: 2001-02 : One bill died that would establish an independent, non-partisan commission to study all aspects of the death penalty (SJR3).

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: None

Previous Years: 2004 : One bill introduced enabled Delaware to take full advantage of the power of D.N.A. technology to solve crimes and protect the innocent by requiring the collection of D.N.A. samples from any person arrested and charged with any criminal offense from whom fingerprints are currently collected (HB426). 2003: One bill signed into effect by the Governor allows additional time for DNA testing motions for those whose judgment of conviction was final prior to September 1, 2000 (SB38).

Current: None.

Crime Lab and Medical Examiner Offices:

Previous Years: None.

Counsel Qualifications, Training, and Competency:

Current: None.

Previous Years: None.

Counsel Compensation:

Current: None.

Previous Years: None.

Judges and Juries: Current: None.

Previous: None.

Current: None.

**Racial and Ethnic
Minorities:**

Previous Years: None.

Juvenile Offenders: Current: None

Previous Years: 2004 : One bill introduced abolishes the death penalty for First Degree Murder for juveniles and establishes the maximum penalty as life imprisonment(HB488). 2003: One bill died in committee that would have abolished the death penalty for juveniles who committed a crime while under the age of 18 and provided for a maximum sentence of life imprisonment while commuting the sentence of any juvenile offenders currently on death row to life imprisonment (SB70).

**Mental Retardation, Current: None.
Mental Disability
and Mental
Competency:**

Previous Years: 2001-02 : One bill signed into law barring the imposition of the death penalty on any defendant found by the sentencing court to be "seriously mentally retarded" at the time of his or her crime, thereby ensuring that Delaware's death penalty system complies with the U. S. Supreme Court decision in Atkins v. Virginia (Chapter No. 424 of 2002). 1999 : One bill introduced would have eliminated the death penalty for mentally retarded defendants.

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

City of Wilmington

****Last Updated on June 30, 2005**