

IDAHO

STATISTICAL INFORMATION

Current Governor: Dirk Kempthorne
Term of Office: 2003 - Jan. 2007

Jan.

Legislative Term: Jan. - Mar.

Total Inmate Pop.

(As of 05/31/05): 6,485 **White: 77%** **Black: 2%** **Latino/a: 16%** **Other: 5%**

Death Row Pop.

(As of 04/01/05): 21 **White: 22** **Black: 0** **Latino/a: 0** **Other: 0**

EXECUTIONS:

Since 1976: 1 **White: 1** **Black: 0** **Latino/a: 0** **Other: 0**
(As of 3/15/04)

Carried out in 2003: 0

Carried out in 2004: 0

Scheduled for 2004: 0
(As of 6/15/05)

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: 18

Sentence/Conviction overturned (minus exonerations): 15

Sentence reduced: 3

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 died sine die which would have added to existing law to provide for the temporary suspension of the death penalty; to provide for the creation of the Idaho Death Penalty Commission; and to provide for membership and duties of the commission (HB122).

Capital Offenses and Procedures:

Current: None.

Previous Years: None.

Aggravating and Mitigating Circumstances:

Current: 2005: One bill signed into effect by the Governor amends existing law relating to sentencing in capital cases to revise language applicable to statutory aggravating circumstances related to a defendant's conduct. This change makes certain that the jury hears all relevant information about the defendant at sentencing, including the defendant's conduct before, during and after the murder (S1100).

Previous Years: None.

DNA Testing and Preservation of Material Evidence:

Current: None.

Previous Years: None

Crime Labs and Medical Examiner Offices:

Current: None.

Previous Years: None.

Counsel Qualifications, Training, and Competency:

Current: None.

Previous Years: 2002 : One bill died that would have provided that the State Appellate Public Defender shall continue to represent capital defendants in resentencing (S1450). 1998 : One bill passed created the position of state appellate public defender.

Counsel Compensation:

Current: None.

Previous Years: 1998 : One bill vetoed by the Governor would have permitted counties to establish a capital crimes defense fund to defray the cost of public defense of indigent capital defendants and create the position of state appellate public defender.

Judges and Juries: Current: 2005: See Aggravating and Mitigating Circumstances.

Previous Years: None.

Racial and Ethnic

Minorities: Current: None.

Previous Years: None.

Juvenile Offenders: Current: None.

Previous Years: None.

Mental Retardation, Current: None.

Mental Disability

and Mental

Competency:

Previous Years: 2003: One bill, signed by the governor, exempts mentally retarded offenders from the death penalty (Chapter 136 of 2003). 2002: One bill died that would have prohibited the imposition of the death penalty on a person with mental retardation (H629).

Special Notes: Current: None

Previous Years: 2004: One bill, signed by the governor, provides that certain information about the victim and the impact of the victim's death is relevant and admissible. Excludes characterizations and opinions about the crime, the defendant, and the appropriate sentence from victim impact information (HB609).

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

none

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