

# MISSOURI

## STATISTICAL INFORMATION

Current Governor: Matt Blunt  
Term of Office: Jan. 2005-Jan. 2009

Legislative Term: Jan. - May

Total Inmate Pop.  
(As of 6/24/05): 30,985      White: 58.9%    Black: 40.3%    Latino/a: 0%    Other: .1%  
(No White/Lat. Dist.)

Death Row Pop.  
(As of 6/28/05): 56      White: 32      Black: 24      Latino/a: 0      Other: 0

### EXECUTIONS:

Since 1976: 64      White: 38      Black: 22      Latino/a: 0      Other: 1  
(As of 6/28/05)

Carried out in  
2003: 2

Carried out in  
2004: 0

Carried out in  
2005: 3      Scheduled for 2010  
(As of 6/28/05)

**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: 28

Sentence/Conviction overturned  
(minus  
exonerations): 23

Sentence reduced: 2

Exonerations: 3

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: 2005:** One bill failed that would repeal the death penalty (HB516). Another two failed bills repeal the death penalty and makes the crime of first degree murder punishable by life imprisonment without parole (SB292 SB713). One bill failed that creates a commission to study the death penalty and imposes a temporary moratorium on executions in Missouri (SB303). Another bill failed that would establish the Commission on the Death Penalty and place a moratorium on all executions until January 1, 2009 (HB408).

**Previous Years: 2004:** One bill failed that would have repealed the death penalty (HB793). One bill, which is currently not on the calendar, creates a commission to study the administration of the death penalty in Missouri. Prohibits executions between the effective date of the act and January 1, 2006 (HB890, SB726 died in committee). Another bill which failed would have repealed the death penalty and makes first degree murder punishable by life without the possibility of parole (SB713).**2003:** One bill that died would create a commission to study the death penalty and impose a moratorium on executions (SB22). One bill died that would repeal the death penalty for first degree murder (HB223) and another bill that died would abolish the death penalty (SB169). Another bill that died would create a commission to study the death penalty and imposes a temporary moratorium on executions until 1/1/05 (HB542). Another bill died creating a County Crime Reduction Fund that may aid in the study of sentences of death (SB222).

**2002 :** Two bills would create the Commission on the Death Penalty to study all aspects of the death penalty in Missouri. The findings, which must include recommendations for corrective amendments to the statutes and court rules, would be available to the Governor, the Legislature, and the Supreme Court by January 1, 2005 (HB1542, SB731); One bill was introduced which would have eliminated the death penalty and commute all death sentences to life without parole (HB1394); **2001:** One bill introduced would have placed a moratorium on executions and created a commission to study the state's death penalty system; One bill introduced would have abolished the death penalty; **2000:** One bill introduced would have

abolished the death penalty and replaced it with life without parole and commuted all existing death sentences to life imprisonment without eligibility for probation or parole; One bill introduced would have placed a moratorium on executions and created a commission to study the state's death penalty system; **1999 :** One bill died that would have abolished the death penalty; One bill introduced would have provided a moratorium until a study is completed.

### **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:** One failed act related to exoneration using DNA testing. Currently, if a person is exonerated of a crime by the results of DNA testing, he or she must file a petition for the payment of said restitution with the sentencing court within one year of the release from confinement after August 28, 2003. This act would maintain the one year limitation on filing a petition in most circumstances. However, it allows those individuals exonerated and released prior to August 28, 2004 to file a petition for restitution within 10 years of their release.

**Previous Years: 2004:** One bill failed which would have created a cause of action for those adjudicated innocent following DNA testing (SB916). Another bill failed relating to a surcharge on all criminal court cases, the electronic recording of police interviews, the use of jail house snitches, certification of all evidence, forensic testing of evidence, eyewitness evidence protocol, DNA evidence, forensic laboratory test results certification, the Laboratory Oversight Committee Fund and the Justice Improvement Fund (SB924). **2003:** One bill failed which provided for numerous changes to the criminal justice system including inclusion of DNA testing in every possible trial and proper jury instruction concerning eyewitnesses (SB21).

**Current:None**

**Crime Labs 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 Years: 2004:** One bill failed sine die that would have provided that if the jury is unable to unanimously agree on the imposition of the death penalty, then the judge shall declare the punishment to be life imprisonment without the possibility of parole (SB838).

**Racial and Ethnic  
Minorities:**

**Current: None.**

**Previous Years: None.**

**Juvenile Offenders: Current: None**

Previous Years: *2004* : This act, which died in committee, would have allowed a person who has not reached the age of eighteen at the time when he or she committed murder in the first degree to be imprisoned for life without parole or probation (SB1382). *2003*: Two bills died that would have increased the age at which the death penalty can be imposed from 16 to 18 years of age (HB255, SB312). *2002*: Two bills would raise the minimum age at which a person can be sentenced to death from 16 to 18 (HB1836, SB819).

Current: Inapplicable.

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

Previous Years: *2002*: One bill would exclude any information or evidence obtained from custodial interrogation of a mentally retarded person unless an attorney was present to represent the person (HB1722); *2001* : One bill signed into law prohibits the death penalty for mentally retarded defendants; *2000* : One bill introduced would have prohibited the death penalty for mentally retarded defendants; *1999* : One bill died that would have eliminated the death penalty for mentally retarded defendants.

**Special Notes: Current: None**

Previous Years: *2004*: One bill failed sine died that would have eliminated probation and parole's right to convert consecutive sentences to concurrent sentences in certain circumstances and prisoner's right to have sentence reduced due to change in law.

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

none

**\*\*Last Updated on June 28, 2005**