

NEW HAMPSHIRE

STATISTICAL INFORMATION

Current Governor: Craig Benson
Term of Office: Jan. 2003 - Jan. 2005

Legislative Term: Jan. - July

Total Inmate Pop.
(As of 12/31/00): 2,254 **White:89%** **Black: 5%** **Latino/a: 5%** **Other: 1%**

Death Row Pop.
(As of 3/15/04): 0 **White: 0** **Black: 0** **Latino/a: 0** **Other: 0**

EXECUTIONS:
Since 1976: 0 **White: 0** **Black: 0** **Hispanic: 0** **Other: 0**
(As of 3/15/04)

Carried out in 2003: 0

Carried out in 2004: 0

Scheduled for 2004: 0
(As of 8/19/04)

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: 0

Sentence/Conviction overturned (minus exoneration): 0

Sentence reduced: 0

Exoneration: 0

Other: 0

RELATED STATUTORY PROVISIONS:

Life without Parole: yes

Prohibits the execution of juvenile offenders: no

Minimum age to receive death penalty: 17

Prohibits the Execution of mentally retarded offenders: yes

CURRENT STATUS OF THE MORATORIUM:

Moratorium: no

Study: no

HISTORY OF LEGISLATION ADDRESSING ABA ISSUES

Moratorium/Study: Current: None.

Previous Years: 2001 : One bill defeated that would have abolished the death penalty (the matter is postponed and will not be taken up again until at least 2003); 2000 : One bill was passed but vetoed that would have abolished the death penalty.

Capital Offenses: Current: None.

Previous Years: None.

Aggravating and Mitigating Circumstances:

Current: None.

Previous Years: None.

DNA Testing and Preservation of Material Evidence:

Current: 2004: One bill signed into effect by the governor permits an individual to petition a court for post-conviction DNA testing of biological material under certain circumstances (HB640).

Previous Years: 2003: One bill that was retained in committee provided that a person in custody pursuant to the judgment of court may, at any time after conviction, apply to the court for forensic DNA testing of any biological material that (a) Is related to the investigation or prosecution that resulted in the judgment; (b) Is in the actual or constructive possession of this state or the United States or has been retained by any other person under conditions sufficient to establish that it has not been substituted, tampered with, replaced, or altered in any respect material to the DNA testing; and (c) Was not previously subjected to DNA testing, or can be subjected to retesting with different DNA techniques that provide a reasonable probability of reliable and probative result (HB640).

Crime Labs and Medical Examiner Offices:

Current: None.

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: None.

Racial and Ethnic

Minorities: Current: None.

Previous Years: None.

Juvenile Offenders: Current: *2004*: One bill which the governor vetoed, provided that no individual who is under the age of 18 at the time of the offense shall be culpable of capital murder (SB513).

Previous Years: None.

Mental Retardation,

Mental Disability and

Mental Competency: Current: None.

Previous Years: None.

**LOCAL GOVERNMENTS AND BAR ASSOCIATIONS THAT HAVE PASSED
MORATORIUM RESOLUTIONS**

None.

****Last Updated on September 13, 2004**