

NEW JERSEY

STATISTICAL INFORMATION

Current Governor: Jim McGreevey
Term of Office: Jan. 2001-Jan. 2005

Legislative Term: Jan. - Dec.

Total Inmate Pop.

(As of 12/31/00): 31,081 White: 18% Black: 64% Latino/a: 18%

Death Row Pop.

(As of 3/15/04): 15 White: 9 Black: 6 Latino/a: 0

EXECUTIONS:

Since 1976: 0 White: 0 Black: 0 Latino/a: 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: 31

Sentence/Conviction

overturned (minus
exoneration): 23

Sentence reduced: 0

Exoneration: 0

Other: 8

RELATED STATUTORY PROVISIONS:

Life without Parole: no

Prohibits the execution of juvenile offenders: yes

Minimum age to receive death penalty: 18

Prohibits the Execution of mentally retarded offenders: yes

CURRENT STATUS OF THE MORATORIUM:

Moratorium: no

Study: yes

Status: The New Jersey Supreme Court issued a June 2001 which found inconsistencies in prosecutors seeking the death penalty in New Jersey, which led to race-of-victim inconsistencies. The study found, for example, that those charged with murder "in Monmouth County are about four times more likely to face the death chamber" than those charged with murder in Essex County.

HISTORY OF LEGISLATION ADDRESSING ABA ISSUES

Moratorium/Study: **Current: 2004:** Two bills introduced would abolish the death penalty in (A1435, S440). Two bills introduced create study commission on the death penalty (A2347, S709). Two more bills introduced abolish the death penalty in order to provide for resentencing of persons sentenced to death (A2601, S1212).

Previous Years: 2002-03: Two bills failed which would have created a study on the death penalty and suspend executions pending legislative and executive action (A1913, S1112); Two bills failed would abolish the death penalty (A359, S509); Two bills failed would have created a study commission to examine the disparity in the death penalty among counties (AJR42). **2000-01:** One bill introduced would create a moratorium on executions until January 1, 2003 and created a commission to study the state's death penalty system; **1999:** One bill introduced 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: Two bills introduced provide for DNA testing on certain evidence in murder cases; requires DNA testing when identity is at issue and the death penalty be imposed (A2195, S601). Another bill introduced provides a supplemental appropriation of \$300,000 to Department of Law and Public Safety for its proposed DNA testing program (SB824).

Previous Years: 2003: Two bills died which would have provided for DNA testing on certain evidence in murder cases and required DNA testing if death sentence and identity was at issue (S192, A3068).

**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: None.

Previous Years: None.

Mental Retardation, Current: 2004: One bill introduced excludes mentally retarded individuals from the
Mental Disability and imposition of the death penalty (A1797). Another bill introduced prohibits the
Mental Competency: of the death penalty for mentally retarded offenders (SB147). Another bill
amends the State Constitution to ban the imposition of the death penalty on mentally
retarded offenders (SCR32).

Previous Years: 2002-03: Two bills introduced would prohibit the imposition of the death penalty on mentally retarded defendants (A2144, S431); One bill introduced would amend the state constitution to bar the imposition of the death penalty on persons with mental retardation (SCR21).

Special Notes-Post
Conviction
Proceedings:

Current: 2004: One bill introduced establishes guidelines for post-conviction proceedings (A1499).

Special Notes-Rules
of Evidence:

Current: 2004: One bill introduced prohibits the imposition of the death penalty on mentally retarded offenders (AJR70)

Special Notes-
Clemency:

Current: 2004: One bill introduced proposes constitutional amendment prohibiting the Acting Governor from granting clemency, except the Acting Governor would have the power to issue temporary reprieve in death penalty cases (ACR71).

LOCAL GOVERNMENTS AND BAR ASSOCIATIONS THAT HAVE PASSED MORATORIUM RESOLUTIONS

New Jersey State Bar Association, September 15, 2000

City of Camden

Town of Chesilhurst

City of Highland Park

Borough of Princeton

Sommers Point

****Last Updated September 14, 2004**

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