

HB 542 -- Death Penalty Commission

Co-Sponsors: Campbell, Lowe, Walton, Jones, Hubbard, Riback
Wilson (25), Curls, Hilgemann, Villa, Fraser, Wilson (42),
Brooks, Walker, Muckler

This bill places a moratorium on executions until January 1, 2005, and creates a death penalty commission to examine the death penalty process. The commission will be organized within the Department of Corrections and will consist of nine members: the Director of the Public Defender Commission; the Attorney General; two representatives, one from each party, appointed by the Speaker of the House of Representatives; two senators, one from each party, appointed by the President Pro Tem of the Senate; and three citizens of the state, appointed by the Governor. The commission will hire an executive director, hold hearings, and issue recommendations to the General Assembly, Governor, and Supreme Court by January 1, 2005. The commission will study all aspects of the death penalty as administered by the state, including any data concerning race, gender, age, religious preference, or economic status. The commission will also examine:

- (1) The cost of implementing the death penalty;
- (2) The training and experience of both prosecuting and defense attorneys;
- (3) The procedures in the post-conviction relief phase;
- (4) The appellate process;
- (5) Whether there is consistency among prosecutors throughout the state in their decision-making process in seeking the death penalty;
- (6) The policies and procedures used in other jurisdictions; and
- (7) The recommendations of national associations regarding administration of the death penalty.