

April 13, 2009

H 1479. PREVENT EXECUTION OF INNOCENT PERSONS. Filed 4/9/09. *TO PREVENT THE EXECUTION OF INNOCENT PERSONS BY PROVIDING THAT A DEFENDANT MAY ONLY BE TRIED FOR A CAPITAL OFFENSE IF THE STATE PRESENTS CERTAIN INCRIMINATING EVIDENCE PRIOR TO THE PRETRIAL CONFERENCE.*

Enacts new GS 15A-2004(e) to prohibit the State from electing to try a defendant capitally unless, on or before the date of the pretrial conference in the capital case, the State presents evidence of any of the following: (1) biological or DNA evidence that links the defendant to the act of murder; (2) a videotaped, voluntary interrogation and confession of the defendant to the murder; or (3) a video recording that conclusively links the defendant to the murder. Applies to offenses committed on or after the date the act becomes law. Includes whereas clauses.

Intro. by Hall.

GS 15A