

Title 15 CRIMINAL PROCEDURE - Chapter 18 SENTENCE AND PUNISHMENT.
Article 5 Death Penalty

Section 15-18-83

Persons who may be present at execution.

(a) The following persons may be present at an execution and none other:

- (1) The executioner and any persons necessary to assist in conducting the execution.
 - (2) The Commissioner of Corrections or his or her representative.
 - (3) Two physicians, including the prison physician.
 - (4) The spiritual advisor of the condemned.
 - (5) The chaplain of Holman Prison.
 - (6) Such newspaper reporters as may be admitted by the warden.
 - (7) Any of the relatives or friends of the condemned person that he or she may request, not exceeding six in number.
 - (8) The immediate family of the victim, over the age of 19, not exceeding eight in number and apportioned equally among the victim's immediate family members. If there are fewer than six total immediate family members of the deceased victim, additional immediate family members of a victim, for whose death the inmate is not sentenced to death.
- (b) No convict shall be permitted by the prison authorities to witness the execution.

(Acts 1923, No. 587, p. 759; Code 1923, §5315; Code 1940, T. 15, §349; Acts 1971, No. 2360, p. 3792; Acts 1996, No. 96-670, p. 1134, §1; Act 2009-511, p. 958, §1.)