1   State of Arkansas
2   83rd General Assembly   # A Bill
3   Regular Session, 2001   SENATE BILL 79
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5   By: Senator Everett
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8   **For An Act To Be Entitled**
9   AN ACT TO AMEND ARKANSAS CODE 16-89-111 TO REQUIRE
10   CORROBORATION OF A SINGLE EYEWITNESS IN CAPITAL MURDER
11   CASES; AND FOR OTHER PURPOSES.
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13   **Subtitle**
14   AN ACT TO AMEND ARKANSAS CODE 16-89-111
15   TO REQUIRE CORROBORATION OF A SINGLE
16   EYEWITNESS IN CAPITAL MURDER CASES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21   SECTION 1. Arkansas Code 16-89-111 is amended to read as follows:
22   16-89-111. Evidence generally.
23   (a) The state must then offer the evidence in support of the
24 indictment.
25   (b) The defendant, or his counsel, must then offer his evidence in
26 support of his defense.
27   (c) The parties may then respectively offer rebutting evidence only,
28 unless the court for good reason, in furtherance of justice, permits them to
29 offer evidence upon their original case.
30   (d) A confession of a defendant, unless made in open court, will not
31 warrant a conviction, unless accompanied with other proof that the offense was
32 committed.
33   (e)(1) A conviction cannot be had in any case of felony upon the
34 testimony of an accomplice unless corroborated by other evidence tending to
35 connect the defendant with the commission of the offense. The corroboration is
36 not sufficient if it merely shows that the offense was committed and the

1   circumstances thereof.

2   (2)   However, in misdemeanor cases, a conviction may be had upon

3   the testimony of an accomplice.

4   (f)   A conviction cannot be had for capital murder, § 5-10-101, upon the

5   testimony of a single eyewitness unless corroborated by other evidence which

6   independently connects the defendant with the commission of the offense.   The

7   corroboration is not sufficient if it merely shows that the offense was

8   committed and the circumstances thereof.

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