

## Allocation of Peremptory Strikes in the U.S.

Jurisdiction	Misdemeanor Cases		Felony Cases		Death Penalty (* = No DP but Increased # for Murder)		Reference
	State	Defense	State	Defense	State	Defense	
Alabama	3	3	6	6	12	12	Al. Rules Crim. Proc., Rule 18.4(f)
Alaska	3	3	10	10	10	10	Alaska R. Crim. Proc. 24(d) <sup>1</sup>
Arizona	2	2	6	6	10	10	Ariz. St. RCRP R. 18.4(c) <sup>2</sup>
Arkansas	3	3	6	8	10	12	Ark. Stat. § 16-33-305(a) and (b)
California	6-10	6-10	10	10	20	20	Cal. Civ. Pro. § 231(a)
Colorado	3	3	5	5	10	10	Colo. Crim. P. 24(d)(2) <sup>3</sup>
Connecticut	3	3	6	6	15(Life) 25(DP)	15(Life) 25(DP)	C.G.S.A. § 54-82g
Delaware	6	6	6	6	12	20	Del. Super. Ct. Crim. R. 24(b)(1)
Federal Courts	3	3	6	10	20	20	Fed. R. Crim. R. 24(b)
Florida	3	3	6	6	10	10	Fl. St. Ann. § 913.08 <sup>4</sup>
Georgia	2	4	6	12	10	20	O.C.G.A. §§ 15-12-125, 15-12-165
Hawaii	3	3	3	3	12	12	HRPP, Rule 24(b)
Idaho	4	4	6	6	10	10	I.C.R. 24(c)
Illinois	5	5	7	7	14	14	Ill. Sup. Ct., R. 434(d)
Indiana	5	5	10	10	20	20	Iowa Code § 35-37-1-3
Iowa	4	4	6	6	10	10	I.C.A. Rule 2.18(9)
Kansas	3	3	6-12	6-12	12	12	K.S.A. § 22-3412(a)(2)
Kentucky	3	3	8	8	8	8	Ky. Rcr. 9.4
Louisiana	6	6	12	12	12	12	LSA-C.Cr.P. Art. 799
Maine	4	4	8	8	10*	10*	ME R. RCRP R. 24(c)(3)
Maryland	4	4	5	10 <sup>5</sup>	10	20	Md. Rule 4-313(a)
Massachusetts	2	2	4	4	12	12	ALM R. Crim. P. Rule 20(c)(1)
Michigan	5	5	5	5	15*	20*	M.C.L.A. 768.12 <sup>6</sup>
Minnesota	3	5	3	5	9*	15*	49 M.S.A., Rules Crim. Proc., Rule 26.02(6)
Mississippi	6	6	6	6	12	12	Miss. Cod. Ann. § 99-17-3
Missouri	2	2	6	6	9	9	V.A.M.S. 494.480(2)
Montana	3	3	6	6	8	8	MCA 46-16-116

<sup>1</sup> If there is more than one defendant, the court may allow the defendants additional strikes.

<sup>2</sup> In multiple defendant cases, each defendant is allowed ½ of the peremptory strikes allowed a single defendant.

<sup>3</sup> Court may grant additional strikes to either side for good cause shown.

<sup>4</sup> Court may grant additional strikes to either side for good cause shown.

<sup>5</sup> Applies to cases in which the penalty is 20 years or more but less than life. In all other felony cases, both the state and accused have the same number of strikes.

<sup>6</sup> Court may grant additional strikes to either side for good cause shown.

Jurisdiction	Misdemeanor Cases		Felony Cases		Death Penalty (* = No DP but Increased # for Murder		Reference
Nebraska	3	3	6	6	12	12	R.R.S. Neb. § 29-2005
Nevada	4	4	4	4	8	8	N.R.S. 175.051
New Hampshire	3	3	3	3	1st Degree Murder - 10 Others - 15	1st Degree Murder - 20 Others - 15	N.H.Rev. Stat. § 606:3 and 606:4
New Jersey	10	10	10	10	12	20 <sup>7</sup>	N.J. Court Rules, 1969 R. 1:8- 3(d)
New Mexico	3	5	3	5	8	12	N.M. Dist. Ct. R.Cr.P. 5-606(D)
New York	10	10	24	24	24 (Class A)	24 (Class A)	NY CRIM PRO S 270-25(2)
North Carolina	6	6	6	6	14	14	N.C.G.S.A. § 15A-1217
North Dakota	4	4	6	6	10	10	N.D.R. Crim. P., Rule 24(b)
Ohio	3	3	4	4	6	6	OH Crim. R. 24(C)
Oklahoma	3	3	5	5	9	9	22 Okl.St. Ann. § 655
Oregon	3	3	6	6	12	12	O.R.S. § 136.230
Pennsylvania	5	5	7	7	20	20	Pa.R.Crim.P. Rule 634
Rhode Island	3	3	6	6	6	6	RI Super. R. Crim. P. Rule 24(b)
South Carolina	5	5	5	5	5	10	SC ST § 14-7-1110
South Dakota	3	3	10	10	20	20 <sup>8</sup>	SD ST § 23A-20-20
Tennessee	3	3	8	8	15	15	Tenn. Crim. Proc. Rule 24(d)
Texas	5	5	10	10	15	15	TX CRIM PRO Art. 35.15
Utah	3	3	4	4	10	10	URCrP Rule 18(d)
Vermont	6	6	6	6	NA	NA	V.R.Cr.P. 24(c)
Virginia	3	3	4	4	4	4	Va. Code Ann. § 19.2-262(B)
Washington	3	3	6	6	12	12	Wash. CrR 6.4(e)
West Virginia	4	4	2	6	NA	NA	W. Va. R.Cr.P., Rule 24(b)
Wisconsin	3	3	4	4	6*(Life)	6* (Life)	Wis. Stat. § 972.03
Wyoming	4	4	8	8	12	12	W.R.Cr.P Rule 24(d)
Dist. of Columbia	3	3	10	10	20	20	D.C. SCR-Crim. Rule 24(b)
Guam	3	3	6	10	20 (Life)	20 (Life)	8 G.C.A. § 85.30
Puerto Rico	5	5	5	5	10 (Life)	10(Life)	PR ST T. 34 Ap. II, R.123
Virgin Islands	3	3	6	10	20	20	VI ST T. 5 § 3603

<sup>7</sup> New Jersey does not classify crimes as misdemeanors and felonies. The most violent crimes (13 felonies) result in the 12/20 split.

<sup>8</sup> South Carolina also has a 5/10 split on "Serious Felonies" (9 crimes).