

Terry Lenamon on the Death Penalty

Sidebar with a Board Certified Expert Criminal Trial Attorney



Terence M. Lenamon is a Florida Bar certified expert in the area of criminal trial law. With over 17 years experience he has built a reputation as one of Florida's most respected criminal defense lawyers. His defense has been sought by many high-profile clients and has led him through 20 first-degree murder trials and eight death penalty cases. That experience has brought him national recognition as a go-to commentator on death penalty issues. He is the force behind both deathpenaltyblog.com and Florida Capital Resource Center (floridacapitalresourcecenter.org), and can be reached at terry@lenamonlaw.com.

Firing Squad For Utah's Ronnie Lee Gardner: Emergency Appeal Focus Is Lack of Funding for Death Penalty Defense

Posted on April 30, 2010 by [Terry Lenamon](#)

As predicted, coverage is increasing on the [impeding June 2010 firing squad execution](#) of Utah's condemned man, **Ronnie Lee Gardner**. The idea that a man will die by bullets instead of injected poison is shocking many - and there's already [chatter](#) about a firing squad being unconstitutionally cruel.

Appeal Points to the Elephant in the Room: Insufficient Funding for Proper Death Row Defense

Ronnie Lee Gardner's appeal is of great interest to death penalty defense lawyers all across this country. Why?

Because [Gardner's appellate attorneys are arguing error exists](#) because Gardner was not provided adequate money by the State of Utah so he could get the necessary experts and investigators he needed to prove up mitigating factors during the punishment phase of his trial.

In other words, if Utah had provided sufficient defense funding to allow Gardner's defense counsel to hire psychologists, private investigators, etc. to establish circumstances that countered against the imposition of the death penalty, then Gardner wouldn't be in a position to choose death by firing squad now.

Motion for Stay of June 18, 2010 Firing Squad Execution Awaits Ruling

Gardner's counsel has filed a motion to stay the Order of District Judge Robin Reese, who ordered that 49 year old Ronnie Lee Gardner will be executed by firing squad on June 18, 2010. This request is in tandem with the emergency appeal filed with the Utah Supreme Court on the indigent defense bases.

Will the Firing Squad Coverage Bring Attention to the Indigent Defense Funding Crisis?

The [lack of adequate funding for indigent defense](#) - especially in capital punishment cases - is a growing crisis in Florida and across the country. Since it deals with budget concerns and financial analysis, the topic doesn't get the kind of coverage that other issues do -- but maybe Gardner's case will change things.

Maybe the firing squad aspect of his story will allow the [indigent defense funding issue](#) to dovetail itself into the next few weeks of coverage (assumed to be escalating as June 18th nears). Let's watch and see....