

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.

[Mental Illness and the Death Penalty: Here's a Story You Should Read](#)

Posted on August 24, 2010 by [Terry Lenamon](#)

[Deldelp Medina wrote a personal piece about the death penalty for the San Jose Mercury News](#) -- a poignant piece that provides a perspective that serves us all well. Sure, it's focusing upon the California death penalty, which has become a California election issue. However, it also tells the tale of a Miami murder case, a Florida death penalty situation.

Victim's son kills during psychotic break, State seeks death penalty anyway
Ms. Medina's aunt was murdered by her cousin, the victim's son, while he was suffering a psychotic break. This poor young man had suffered through a life of trauma upon trauma, it was well known that he was mentally ill. Still, the Miami prosecutors sought the death penalty against him -- and he had only his indigent defense appointed counsel, overworked and underfunded, standing with him. That and his loyal family.

Deldelp and her family members won their fight. I'll leave it to you to read [Deldelp's story](#), after all - it's hers.

Why bother? What's important about this piece is the access it provides not only into the defendant's family, here by a twist of fate also the victim's family, but into how it often takes a team of advocates, paid and unpaid, to win in any indigent defense death penalty case.

The fight for mitigators begins early in a case. Part of the fight for mercy -- the application of [mitigators](#) -- occurs long, long before a jury is selected. Often, it starts soon after the arrest because the prosecution usually sets its sights on a capital murder win very early on.

That fever can escalate in the face of very real psychological issues self-evident in the defendant - things that will never allow any ultimate execution, should it come to that. The United States Supreme Court has held it to be unconstitutionally cruel and unusual punishment to execute someone who is found legally insane.

Deldelp's cousin will spend the rest of his life in a mental health facility: he was ruled legally incompetent to stand trial. As you can learn from reading Deldelp's work, Mercy triumphed over Judgment that day - and this, in the world of death penalty advocacy, is victory we seek to achieve.