

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.

[Connecticut Home Invasion Trial Spotlights Death Penalty Controversy](#)

Posted on September 14, 2010 by [Terry Lenamon](#)

[Connecticut is seeking the death penalty](#) of two men who allegedly broke into the Cheshire home of a prominent doctor, **Dr. William Pettit**, severely beating the doctor and killing his wife **Jennifer Hawke-Petit**, and two daughters, **Hayley**, 17, and **Michaela**, 11. You've probably read about this case, or heard about it on television.

And this trial will get lots of media time -- bringing lots of attention to the issues surrounding capital punishment in our country today. The two men already offered to pled guilty and avoid a trial, in exchange for a life sentence. The prosecution turned them down -- the state wants a sentence of death in this case, and it's wanting it bad.

And with that guilty plea turned down, and the state's desire for death in this case, all the pros and cons for capital punishment in this country are spotlighted. The **Connecticut Home Invasion Case** will clarify for us all exactly what the motivations are for the sentence of death in the United States today. For example, [read the New Times' piece](#), opposing the death penalty in Connecticut despite the upcoming Petit Home Invasion trials.

This case is entirely about aggravating circumstances vs mitigating factors.

It's clear now, and has been during the six months that it took to pick a jury, that the Hayes trial (and assumedly the Komisarjevsky trial that follows) is not about guilt vs innocence. No, the crux of this case is all about the *penalty phase*, where the state will advance its [aggravating circumstances](#) in horrific detail, to support its request for death, and where the [defense will fight hard to mitigate](#) against it.

[The media recognizes it.](#) In fact, it's probably the salient details involved in the sentencing phase of the trial that help keep this case in the national media's attention.

Comparisons to Truman Capote's In Cold Blood are Being Made

The crime was brutal. Brutal and shocking, just like the Clutter family's deaths back in Kansas that were made the subject of Capote's most famous work. No doubt here.

[What happened isn't subject to much debate.](#) Two men broke into the Petit home, a nice house in a quiet neighborhood where these sorts of things just don't happen. Steven Hayes and Joshua Komisarjevsky have been charged with breaking into the home, tying up the doctor and the daughters, and taking the wife away, forcing her to take money out of a nearby Bank of America (one of the bank tellers will testify, she called the police).

Perhaps the scariest fact to the community was that Hayes allegedly chose Mrs. Petit at the local grocery, following her and her two daughters home. Hayes then picked up Komisarjevsky and returned to the Petit residence.

There, Hayes is accused of raping and strangling the wife, while Komisarjevsky is accused of raping the younger daughter. Afterwards, the two children purportedly were tied to their beds, and gasoline was poured around them - setting the house on fire, and killing the two girls.

Somehow, the doctor escaped and is now the state's star witness. [He is testifying today.](#) The two defendants were captured by police after they crashed the Petit's vehicle into a police car; Hayes was wearing one of the girl's hats at the time of his arrest.

When the two men were arrested, they were on parole for burglary. In fact, each of them had a record of over 20 burglary arrests on their records. It's not up for argument that these were professional thieves.

One of the big mysteries here is how two thieves turned so violent.

Trial started this week for Steven Hayes in a New Haven courtroom. Joshua Komisarjevsky awaits trial, which will not begin until Hayes' trial is completed.