

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.

New Hampshire Really Wants to Expand the Death Penalty: Two Separate Bills Will Be Heard Today

POSTED ON FEBRUARY 1, 2011 BY **TERRY LENAMON**

New Hampshire is holding two public hearings today in its House of Representatives (HR 147 at 10 o'clock, HR 162 at one o'clock) on two separate proposals to expand the death penalty. That's right – in the midst of all the challenges across the country to capital punishment (Illinois, for example), there are still jurisdictions that appear to be solidly in support of sentencing defendants to death.

1. New Hampshire proposal to extend the death penalty to home invasion homicides

Today, the **Speaker of the House for the State of New Hampshire, William O'Brien**, will testify before that legislative body on the reasons why he believes that the bill pending before it should be

passed into law, a bill that would extend capital punishment in that state to homicides committed during a home invasion.

You can follow HB 147 [here](#), and you can read the text of New Hampshire House Bill 147 as it was introduced [here](#).

He's not a renegade – such Big Kahunas as **New Hampshire Governor John Lynch** support the proposition that Speaker O'Brien will advance today. What's behind this? Public outrage at the horrific killing of **Kimberly Cates, in her bed and in her home, by 2 teenaged home invaders using a machete.** Admittedly, a gruesome act.

2. New Hampshire proposal to extend the death penalty to all murders (100%)

Meanwhile, the House will also be hearing HB 162, sponsored by **Representative Phil Greazzo**, which is paints a much broader brush than Speaker O'Brien's proposal. Under this bill, New Hampshire would be able to **sentence defendants to death anytime they were convicted of murder. Any murder.** A true eye-for-an-eye approach, it seems.

You can follow HB 162 [here](#) and you can read the text of New Hampshire House Bill 162 as it was introduced [here](#).

3. Is This a Clever “Split the Baby” Strategy?

Trial lawyers recognize a savvy approach by many a judge – particularly those with their ears to the political ground – to rule in such a way that each side of an argument gets something. It’s called the “split the baby” strategy by some.

Like King Solomon when the two mothers appeared before him, remember? He ruled that he would cut the baby in half, and the real mother revealed herself by crying out against it.

Well, reading these two bills going up before the New Hampshire House today one has to wonder if it will be easier to vote for the Home Invasion Bill because there is a harsher alternative on the table.

Politically speaking, is this a legislative split the baby? Give the opponents to the death penalty a nix to the broader bill, and give the proponents a yes to the narrower one? Everyone gets something that way, don’t they?