

People v. Lavalle (NYS Death Penalty)

Law



Running head: PEOPLE V. LAVALLE (NYS DEATH PENALTY) People V. Lavalle (NYS Death Penalty) The deathpenalty was being imposed in New York State till the year 2004 when the New York Court of Appeals gave a ruling in the case titled People of New York v. Steven LaValle that it was unconstitutional. Consequently, sentences of all convicts on the death row were commuted to life imprisonment and subsequent attempts to re-establish the death penalty have proved to be unsuccessful. Stephen LaValle had confessed to the rape and stabbing of high school athletic coach Cynthia Quinn on 31st May 1997. LaValle was convicted of rape and murder and sentenced to death but he filed an appeal before the New York Court of Appeals and argued that in view of deadlock instructions of the state, the death penalty was not valid as per Article 1, Section 6 of the state's constitution. The New York Appeals Court held that section 400. 27(10) of New York's Criminal Procedural Law was not constitutional. The New York Court of Appeals gave this ruling because of contradictions arising from the situation that the sentencing judge had the authority to decide amongst two options. The sentencing judge could impose death penalty or life imprisonment without parole. If the decision amongst the jury became deadlocked the judge was required to convict the offender to 20 - 25 years life imprisonment with parole. LaValle argued that because this third option was less severe relative to the other two, judges were pressurized to reach a consensus although some were not in agreement for the death penalty. Because the state's deadlock instructions are unique there is no immediate impact on the death penalty in other states. But the case reveals how judges are pressurized whereby they are forced to impose the death penalty (Heller, 2008).

The decision of the New York Court of Appeals presented the state

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legislature options to reinstate the death penalty or reinstate the death penalty in a modified way. The legislature decided to make a review of the state's death penalty statutes by seeking wide ranging opinions from the public. From the wide ranging comments and opinions received from several reputed people and law experts concerns became apparent about the impending legislative changes. It was argued that legislation giving judges only two options by way of death penalty and life imprisonment without parole would not be constitutionally valid because prosecutors would seek elimination of parole possibilities by putting a death notice before the judges (Lentol et al., 2005). The New York State legislature could have redrafted the death penalty in addressing concerns raised by the Court of Appeals by introducing a bill providing that once a defendant is convicted of first degree murder, judges ought to decide through unanimous vote, either of the three options:

Death penalty

Life in prison without parole

Life imprisonment for minimum 20 years and maximum 25 years with parole after a predetermined number of years.

There will be no issues in redrafting the death penalty if judges are directed that if unanimous consensus is not reached on one of the three options, the defendant ought to be sentenced to life in prison without parole. This legislation can be applied to the new procedures in future as well as retrospectively to crime committed before any effective dates fixed with mutual consensus.

List of References

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