

State replies to Thompson motion

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By Clint Confehr

The particulars of Gregory Thompson's belief in fate substantiate the state's position that he's competent for execution for the death of Brenda Blanton Lane, according to the Tennessee attorney general's reply to the confessed killer's defense team that's trying to stop his execution set for Feb. 7.

Thompson, 43, was convicted for the stabbing death of Lane by a Coffee County jury some 20 years ago. He abducted her from the shopping center parking lot [the Wal-Mart site at the time] across the street from Shelbyville's police station to get her car so he could drive to Georgia. Lane was a former Shelbyville Times-Gazette reporter and the niece of the police chief at the time.

Thompson believes all events in his life, including his involvement in the murder of Lane, were "predestined," according to Associate Deputy Attorney General Jennifer L. Smith who was quoting Dr. Faye Sultan, a psychiatrist who spoke with Thompson for Dana C. Hansen Chavis of the Federal Defender Services' office in Knoxville.

"Predetermined facts" on a note are "buried at the church," the women say, quoting Thompson. "If I go to the paper with that note, I think it will save my life."

Smith argues to the Tennessee Supreme Court that Chavis' argument to stop Thompson's execution fails because it shows he knows he's going to be executed for Lane's murder and that's all that must be shown to proceed under the high court's requirement that a prisoner be competent for execution.

Smith's argument was filed Thursday in response to several requests filed a week earlier by Chavis and Nashville-based lawyer Michael Passino who claimed Thompson's mental condition had deteriorated "somewhat."

While Thompson is "louder and more expansive in his thoughts," the change is not "substantial," so no more judicial proceedings are needed, Smith said, offering for comparison another doctor's report on Thompson's behavior; he's thought that while the murder was in Tennessee, he is "federal property due to his officer status" in the Navy, so the state can't execute him and "his record with the secretary of the Navy as a lieutenant will allow a mistrial, and he will be discharged and can return to live in Hawaii."

A member of Thompson's defense team said today that, in reality, he was discharged from the Navy for bad conduct and at that time was an E-2.

Smith also refutes requests from Thompson's lawyers for: a certificate of commutation recommending the governor grant clemency; a hearing on related issues; and reconsideration of the order setting the execution date.

This week, Passino supplemented the previous motions arguing executing a severely mentally ill person is unconstitutional because it's cruel, excessive and unusual punishment.

Mentally retarded people have diminished capacities to understand and learn from mistakes and control themselves, Passino wrote.

He cites a court case that held that diminishes the culpability of retarded individuals and thereby

counters justifications for the death penalty that contend it's a deterrence. He also relates that thinking to why juveniles shouldn't be executed.

"Similarly," Passino wrote, "Thompson's mental illness significantly reduces his ability to control his conduct."

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