

## FELONY MURDER



A LEGAL DOCTRINE UNDER SCRUTINY

# FELONY MURDER

Legal rule that expands the definition of murder and applies when someone commits a certain kind of felony and someone else dies in the course of it. The defendant is liable for it, even if he didn't kill anyone.

## I/ *Lakeith Smith's case*

### A) The case

- 5 teenagers burglarized two homes in 2015
- An officer killed one of the teenagers
- The remaining 4 were charged under Felony murder law
- **Lakeith Smith was sentenced to 65 years**
  - ➡ Sentence reduced to 30 years in 2023



### B) A symbol of the struggle against felony murder law

- Justice 4 Lakeith Smith action
- **Petition for his release**
  - ➡ 1 million signatures
- Affects disproportionately young, women, and Black people

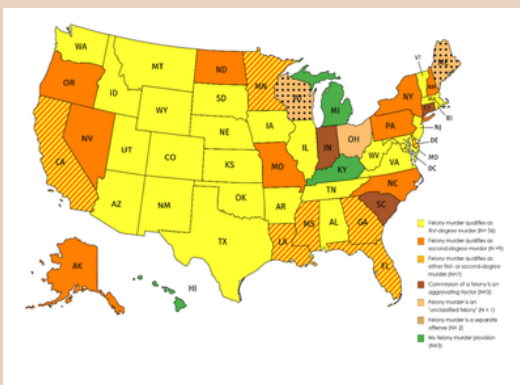
## II/ *The absurdity of the felony murder rule*

### A) An excessive charging system

- Punished on the same level as intentional murder
- No decrease in felony rates
- **Life imprisonment**
  - ➡ From automatic life in prison to between 16 and 48 years.

### B) The issue of death penalty

- **Enmund v. Florida** (1982)->execution cruel and unusual punishment
- **Tison v Arizona** (1987)->death sentence : first-degree felony murder
- **Conditions to death penalty**
  - ➡ Defendant was a significant participant in the felony
  - ➡ Committed with "reckless indifference to human life"



Legal status of Felony murder in different states