

SUPREME JUDICIAL COURT OF MAINE

State of Maine v. Christopher Murray

2021 ME 47 (2021) · No. Pen-20-231 · Decided September 28, 2021

SUMMARY

The Maine Supreme Judicial Court affirmed Christopher Murray’s convictions for intentional or knowing murder, elevated aggravated assault, and robbery. The court held that the evidence did not generate a jury instruction on duress and that the trial court properly excluded an expert’s opinion that the surviving victim was more likely than not confabulating her memories. The court also affirmed the sentences, including life imprisonment for murder.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Jabar, J.; Mead, J.; Gorman, J.; Humphrey, J.; Horton, J.; Connors, J.
JURISDICTION	Maine
DECIDED	September 28, 2021
DOCKET	Pen-20-231
DISPOSITION	affirmed
PROCEDURAL POSTURE	Murray appealed his convictions for intentional or knowing murder, elevated aggravated assault, and robbery, and sought review of his life sentence. He challenged the trial court's refusal to instruct the jury on duress and exclusion of his psychological expert's opinion that the surviving victim was more likely than not confabulating her memory.
STANDARD OF REVIEW	Whether a statutory defense was generated is reviewed by viewing the facts in the light most favorable to the defendant, reviewing factual findings for clear error, and reviewing legal determinations de novo. The admissibility of expert testimony is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published Maine Supreme Judicial Court opinion; precedential.
PARTIES	Christopher Murray v. State of Maine

TOPICS

- jury instructions
- evidence
- expert testimony
- criminal procedure
- sentencing

PRACTICE AREAS

criminal law

criminal procedure

evidence

jury instructions

sentencing

QUESTIONS PRESENTED

1. Whether the evidence generated a jury instruction on the defense of duress for Murray's charged offenses, including accomplice liability murder.
2. Whether the trial court abused its discretion by excluding the psychological expert's opinion that it was more likely than not that Diem was confabulating her memory of the shootings.
3. Whether the sentencing court's imposition of a life sentence violated Murray's Sixth Amendment right to a jury determination of a Shortsleeves factor.

HOLDINGS

1. The trial court properly refused to instruct the jury on duress because, even viewing the evidence in the light most favorable to Murray, there was no evidence that Tony made a direct threat to Murray, that Murray heard any threat to Alexis, or that Murray was compelled by a threat of imminent death or serious bodily injury or by force.
2. The trial court did not abuse its discretion by excluding the expert's opinion that it was more likely than not that Diem was confabulating her memory because the opinion impermissibly addressed witness credibility and an ultimate factual issue, was not based on a scientific evaluation of Diem's specific injury, and would not have assisted the jury.

KEY QUOTATIONS

"We have made it clear that the harm "must be real and specific, and the specific harm that is feared must be imminent." (¶ 20)

"Given the absence of evidence of specific imminent harm or evidence of compulsion by force, the court properly declined to instruct the jury on the defense of duress." (¶ 24)

"There exists a "settled rule of exclusion of psychological testimony tending to impeach credibility of specific witnesses." (¶ 26)

"We conclude that the trial court did not abuse its discretion in excluding the expert's statement." (¶ 30)

FACTUAL BACKGROUND

Murray traveled with Tony and Alexis Locklear to the home of Wayne and Diem LaPierre under the pretext of purchasing marijuana. Tony and Murray displayed firearms, restrained the LaPierres, and took them to a basement bedroom, where Diem was shot twice and Wayne was shot twice; Wayne later died. Diem survived and identified Murray as one of the shooters. Murray's defense sought to establish that Tony compelled his participation and that Diem's traumatic brain injury caused her to confabulate her recollection.

PROCEDURAL HISTORY

Murray was charged by complaint in December 2017 and later indicted by a Penobscot County grand jury for murder, elevated aggravated assault, and robbery. Following a five-day jury trial, the jury convicted him on all charges. The trial court imposed a life sentence for murder and concurrent thirty-year sentences for the other offenses. The Sentence Review Panel granted leave to appeal the sentence, and Murray separately appealed his convictions. The Supreme Judicial Court of Maine affirmed the judgment and sentence.

DISPOSITION

affirmed

CASES CITED

- State v. Patton, 2012 ME 101, ¶ 2, 50 A.3d 544
- State v. Hutchinson, 2009 ME 44, ¶¶ 32-38, 969 A.2d 923
- State v. Shortsleeves, 580 A.2d 145, 149-50 (Me. 1990)
- State v. Fletcher, 2015 ME 114, ¶ 12, 122 A.3d 966
- State v. Gagnier, 2015 ME 115, ¶¶ 13, 16, 123 A.3d 207
- State v. Hanscom, 2016 ME 184, ¶¶ 10, 14, 152 A.3d 632
- State v. Sexton, 2017 ME 65, ¶ 19 n.8, 159 A.3d 335
- State v. Larrivee, 479 A.2d 347, 349-351 (Me. 1984)
- State v. Carrillo, 2021 ME 18, ¶ 37, 248 A.3d 193
- State v. Burbank, 2019 ME 37, ¶ 7, 204 A.3d 851
- State v. Hatt, 2002 ME 166, ¶¶ 8-9, 810 A.2d 415
- State v. Flick, 425 A.2d 167, 170 (Me. 1981)
- State v. Willoughby, 507 A.2d 1060, 1064 (Me. 1986)