

SUPREME COURT OF TENNESSEE

State of Tennessee v. William Eugene Hall

No. M2012-00336-SC-DDT-DD · No. M2012-00336-SC-DDT-DD · Decided March 20, 2015

SUMMARY

Chief Justice Sharon G. Lee concurred in the Tennessee Supreme Court's decision affirming William Eugene Hall's death sentence, but disagreed with the majority's reliance on the narrower proportionality review method reaffirmed in *State v. Bland*. She independently applied a broader proportionality review encompassing all similar first-degree murder cases, including cases in which the death penalty was not sought, and concluded that Hall's sentence was neither excessive nor disproportionate.

CASE DETAILS

COURT	Supreme Court of Tennessee
WRITING FOR THE COURT	Sharon G. Lee, Chief Justice
JURISDICTION	Tennessee
DECIDED	March 20, 2015
DOCKET	M2012-00336-SC-DDT-DD
DISPOSITION	other
PROCEDURAL POSTURE	Automatic appeal from the Court of Criminal Appeals in a capital case. The concurrence addresses the proportionality review of Hall's death sentence.
STANDARD OF REVIEW	Proportionality review under Tenn. Code Ann. § 39-13-206(c)(1)(D), considering the nature of the crime and the defendant and comparing the sentence with sentences imposed in similar cases.
PRECEDENTIAL VALUE	Published concurring opinion; non-majority reasoning
PARTIES	State of Tennessee v. William Eugene Hall

TOPICS

[sentencing](#) [appellate procedure](#) [statutory interpretation](#) [criminal procedure](#)

PRACTICE AREAS

[Criminal law](#) [Capital punishment](#) [Appellate procedure](#) [Statutory interpretation](#)

QUESTIONS PRESENTED

1. Whether Hall's death sentence was excessive or disproportionate to sentences imposed in similar cases.
2. Whether Tennessee's statutory proportionality review requires consideration of all similar first-degree murder cases, including cases in which the death penalty was not sought, rather than only cases in which the death penalty was sought.

HOLDINGS

1. After conducting an independent, broader proportionality review, Chief Justice Lee concluded that Hall's death sentence was neither excessive nor disproportionate to the penalties imposed in similar cases.
2. Chief Justice Lee stated that the proportionality review required by Tenn. Code Ann. § 39-13-206(c)(1)(D) should include all similar first-degree murder cases in which either life imprisonment or death was imposed, rather than only cases in which the death penalty was sought.

KEY QUOTATIONS

“Accordingly, as required by Tenn. Code Ann. § 39-13-206(c)(1)(D) and based on the facts in this record, I find that Mr. Hall’s death sentence is “[neither] excessive [n]or disproportionate to the penalty imposed in similar cases, considering both the nature of the crime and the defendant.”” (2)

FACTUAL BACKGROUND

William Eugene Hall received a death sentence for a capital crime. The Tennessee Supreme Court conducted proportionality review of that sentence in Hall's original direct appeal in 1998. In this concurrence, Chief Justice Lee independently reviewed all similar first-degree murder cases, including cases in which the death penalty was not sought, and concluded that Hall's background and crime more closely resembled cases resulting in death sentences.

PROCEDURAL HISTORY

Hall's death sentence was reviewed by the Tennessee Supreme Court on his original direct appeal in 1998. The present matter reached the Tennessee Supreme Court by automatic appeal from the Court of Criminal Appeals, following proceedings in the Humphreys County Criminal Court. Chief Justice Lee concurred in the Court's conclusion that the death sentence was not disproportionate, but disagreed with the majority's reaffirmation of the proportionality-review method used in the original appeal.

DISPOSITION

other

CASES CITED

- State v. Bland, 958 S.W.2d 651, 666 (Tenn. 1997)
- State v. Hall, 976 S.W.2d 121, 135-38 (Tenn. 1998)
- State v. Pruitt, 415 S.W.3d 180, 217, 230-31 (Tenn. 2013)

OPINION

State of Tennessee v. William Eugene Hall - CONCUR
PER CURIAM.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

October 9, 2014 Session

STATE OF TENNESSEE v. WILLIAM EUGENE HALL

Automatic Appeal from the Court of Criminal Appeals Criminal Court for Humphreys County Nos. 10526, 10527, 10556, 10557, 10558, 10559 Jon Kerry Blackwood, Sr. Judge No. M2012-00336-SC-DDT-DD – Filed March 20, 2015 SHARON G. LEE, C.J., concurring. I concur fully with the Court’s opinion except for Section III(E), which reaffirms the proportionality review performed in Mr. Hall’s original direct appeal. Because I believe this Court used an improper method for analyzing the proportionality of Mr. Hall’s death sentence, I have conducted an independent proportionality review. Upon doing so, I concur with the Court’s conclusion that Mr. Hall’s death sentence is not disproportionate to the sentences imposed on other similar offenders who have committed similar crimes. In 1997, this Court narrowed the scope of the proportionality review required by Tenn. Code Ann. § 39-13-206(c)(1)(D) by limiting its consideration to only those cases in which the death penalty had been sought. *State v. Bland*, 958 S.W.2d 651, 666 (Tenn. 1997). Using this truncated approach, this Court performed a proportionality review of Mr. Hall’s death sentence in 1998, finding the sentence not disproportionate to the penalty imposed in similar cases.¹ *State v. Hall*, 976 S.W.2d 121, 135-38 (Tenn. 1998). More recently, a majority of this Court reaffirmed the Bland approach in *State v. Pruitt*, 415 S.W.3d 180, 217 (Tenn. 2013). In *Pruitt*, I joined Justice William C. Koch, Jr. in dissenting from the Court’s decision to continue following the Bland approach, as it improperly narrows the proportionality review required by Tenn. Code Ann. § 39-13-206(c)(1)(D). *Pruitt*, 415 S.W.3d at 230 (Koch and Lee, JJ., concurring and 1 Though the Court also noted a number of cases “with comparable violence in which defendants have received life sentences,” *Hall*, 976 S.W.2d at 138, this did not qualify as the broader pre-Bland proportionality analysis, which requires a more comprehensive review of all similar first degree murder cases. dissenting). Instead, we determined that the Court should return to its pre-Bland proportionality analysis by considering “all first degree murder cases in which life imprisonment or a sentence of death has been imposed” and focusing on whether the case under review more closely resembles cases that have resulted in the imposition of the death penalty than those that have not. *Id.* at 230-31. I have undertaken the broader, pre-Bland review in this case, as I find it more consistent with Tenn. Code Ann. § 39-13-206(c)(1)(D). Based on a review of all similar first degree murder cases, including those in which the death penalty was not sought, I have concluded that Mr. Hall’s personal background and the nature of the capital crime he committed closely resemble the personal backgrounds and the crimes committed by other persons who have received a death sentence. Accordingly, as required by Tenn. Code Ann. § 39-13-206(c)

(1)(D) and based on the facts in this record, I find that Mr. Hall's death sentence is "[neither] excessive [n]or disproportionate to the penalty imposed in similar cases, considering both the nature of the crime and the defendant." _____

SHARON G. LEE, CHIEF JUSTICE

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