

Death Row inmate gets sentence modified to life

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Florida's Death Row will soon have one fewer resident. John Chamberlain, sentenced to death for a triple murder in West Palm Beach on Thanksgiving 1998, is scheduled to have his sentence modified to life in prison at a court hearing on Tuesday.

The death sentence of Thomas Thibault, his co-defendant and the shooter in the bloody robbery, was reduced to life in September 2005 after a procedural technicality prompted prosecutors to offer Thibault life imprisonment as long as he didn't appeal his conviction.

Chamberlain's lawyer then argued that his sentence should not be harsher.

"It was our position that he was equally or less culpable," said Suzanne Keffer, Chamberlain's appellate lawyer, who works in the Fort Lauderdale office of the Capital Collateral Regional Counsel, which represents indigent Death Row inmates.

In a motion she filed to vacate Chamberlain's sentence, Keffer cited other cases in which a death sentence was reduced on grounds of disproportionality because a co-defendant received a life sentence. Among them was a 1975 Florida Supreme Court ruling reversing the death sentence of a man because his co-defendant, the triggerman in a murder, got life.

"We pride ourselves in a system of justice that requires equality before the law," the justices said. "Defendants should not be treated differently upon the same or similar facts."

Circuit Judge Lucy Chernow Brown has agreed with that argument in Chamberlain's case, even though the Florida Attorney General's Office maintained that he should still get death because Thibault's life term was the result of a plea negotiation, not a jury's recommendation. On Tuesday, Brown is expected to formally resentence Chamberlain.

There are 389 men and one woman on Florida's Death Row, according to the Florida Department of Corrections. Chamberlain is one of 10 men whose Palm Beach County crimes landed them there. The last execution for a Palm Beach County murder was in 1992, when Nollie Lee Martin was electrocuted. His crime was killing a college student working a summer job at a Delray Beach convenience store.

Chamberlain, of West Palm Beach, will become the second man on Death Row for a Palm Beach County crime in the past three years to be resented to life in prison. In

March 2005, Cleo LeCroy got a reprieve when the U.S. Supreme Court banned executions of people whose crimes were committed when they were under 18.

The triple murders on Thanksgiving 1998 were set in motion when Thibault went to the house at 6507 Norton Ave. to sell cocaine to a woman, Amanda Ingman, who lived there with the victims. He was accompanied by Chamberlain and another man, Jason Dascott.

They drove to the house in Chamberlain's father's car.

Once there, Thibault, Chamberlain and Dascott decided to rob the home's residents of electronics. Thibault held two of them, Bryan Harrison, 21, and Daniel Ketchum, 27, at gunpoint in the bathroom while his cohorts stole items.

Ketchum rushed him, and Thibault shot him dead in the ensuing struggle, according to court testimony and records.

Ingman testified that Chamberlain said "no more witnesses" and urged Thibault to kill Harrison. Thibault claimed that he left the decision up to Ingman, whose boyfriend, Harrison, was one of the other two people in the house. She favored getting rid of them, he said.

Ingman and Thibault then awakened Charlotte Kenyon, 26, sleeping in another room. They placed her in the bathroom with Harrison.

Thibault later testified that he "emptied the gun" into Kenyon and Harrison with Chamberlain at his side.

Harrison was still breathing, however, so Chamberlain went to the car and got more bullets. Once again Thibault began firing. The three victims were shot 10 times altogether.

Thibault was convicted of three counts of first-degree murder and sentenced to death in 2001 by Circuit Judge Marvin Mounts. Chamberlain's trial was next. He was convicted of the same charges and also sentenced by Mounts to die.

Dascott pleaded guilty to second-degree murder and was sentenced to 10 years in prison. Ingman was never charged.

Thibault was resentenced to life in September 2005 because nobody, including Mounts, had ever asked him if he waived his right to a jury during the sentencing phase of his case. That opened the door for Chamberlain to ask that his sentence also be modified.

Today, Thibault is 32 and incarcerated at Glades Correctional Institution in Belle Glade. Dascott was released from prison last month, a day before his 29th birthday. He is living in the Florida Keys, where he is on probation for the next five years.

