



JUROR REFLECTS ON DOUBLE MURDER TRIAL, DEATH PENALTY

SARASOTA COUNTY — Brad Bennett said he grew emotional while looking at the home where Traci Nabergall and Jason Salter were brutally murdered by John Allen Lee in 2011.

He wasn't far removed from serving as one of 12 jurors who recommended that Lee be sentenced to death for the crimes, and an impulsive decision led him to Salter's South Venice home to see firsthand where their lives had been taken by Lee in the most violent and horrifying way.

'There were a lot of sleepless nights while serving on the jury,' Bennett, 35, said during a phone interview with the Sun. 'I just replayed all the images, all the testimony, all the evidence ... I knew what had happened in that house and I just felt so bad for the family.'

Lee, 49, stabbed Nabergall, 39, and Salter, 46, multiple times in Salter's Park Road home on Jan. 24, 2011, bursting into the home and flying into a jealous rage. Nabergall was nearly decapitated in the attack, while Salter was stabbed more than 14 times and also died from stab wounds to his neck. A jury found Lee guilty March 22 of two counts of first-degree murder.

Lee will be back in a Sarasota courtroom Thursday for a Spencer hearing, during which Lee's attorneys will attempt to prevent his execution by providing added evidence and testimony for 12th Circuit Judge Peter Dubensky, who has the final say on whether Lee spends the rest of his life behind bars, or will die by lethal injection.

A Spencer hearing, named for Leonard Spencer, who was sentenced in 1989 to death after a jury found him guilty of two counts of first-degree murder and multiple counts of armed robbery, is to ensure the reliability of the penalty and sentencing process in Florida.

Lee's attorney, public defender Carolyn Schlemmer, could not be reached for comment Tuesday. But according to the Sarasota County Clerk of Courts website, Schlemmer plans to call several crime scene investigators and detectives involved in the case as part of the Spencer hearing. The hearing is scheduled for 1:30 p.m., according to records.

Lee hurts own defense while on the stand

Bennett thought one of Schlemmer's biggest mistakes during the trial was putting Lee on the stand, because he seemed neither credible nor believable.

There was something plain 'wrong' about Lee, Bennett said, and as he kept contradicting himself on the stand, it became apparent to the jury that he likely wasn't telling the truth.

Lee admitted to stabbing Salter, but framed his confession as that of protector, who happened to bust in on Salter killing Nabergall and tried to save her life. Lee testified he was trying to help Nabergall fight her drug addiction, which was being furthered by Salter.

Bennett said the jury had difficulty with the fact that none of Nabergall's DNA was found on the clothing he buried in the backyard of the Englewood home of his friend Rhonda Porter after the crime, but photos of the crime scene, depicting Nabergall and Salter lying in pools of their own blood, their bodies badly mangled, had possibly the largest impact on the jury.

Those crime scene photos played over and over in jurors' minds, Bennett said, and helped them decide Lee should die for his actions, voting 9-3 on March 28 in favor of sentencing him to death. It took them an hour to decide on the recommendation.

'We asked ourselves, I asked myself, how could somebody do this to somebody else?' Bennett said. 'This guy is pure evil — you could see it in his eyes. That's what I decided. And he didn't deserve to walk the streets.'

A former military police officer, Bennett admitted to making his own mistakes in life. So he looked at Nabergall's struggle with drugs as not something that was defining, but instead something that she would never be given the chance to beat, to rise above.

He said he often looked out into the courtroom at Nabergall's and Salter's families and thought of his own two young children, thought of the unimaginable suffering of having someone ripped away from them in such an awful way.

'I know how that would feel if that had been done to my child, regardless of the life they chose to lead. She (Nabergall) had a lot of life still ahead of her,' he said. 'Innocent lives were taken.'

Dennis Menendez, spokesman for the 12th Judicial Circuit, said Dubensky could decide on Lee's sentence following the Thursday hearing, but added it could also be decided at a later hearing.

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