



Death Penalty for a Killer of 3 in Connecticut



Marcus Yam for The New York Times

"This is a verdict for justice," Dr. William A. Petit Jr. said after the jury's decision. "The defendant faces far more serious punishment from the Lord than he can ever face from mankind." A second man, Joshua Komisarjevsky, still awaits trial in the case.

By WILLIAM GLABERSON
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NEW HAVEN — A jury voted on Monday to impose the death penalty on a habitual criminal who took part in a [home invasion](#) in Cheshire, Conn., that left a woman and her two daughters dead, a crime of such inexplicable cruelty and randomness — the family was apparently chosen after being spotted in a shopping center parking lot — that it upended a debate about capital punishment.

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Connecticut State Police, via Associated Press

Steven Hayes in a 2007 booking photo.

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William Petit, Jr., via Associated Press

Dr. Petit is shown in June 2007 with his wife, Jennifer Hawke-Petit, and their daughters, Hayley, 17,

For nearly two months, jurors learned every searing detail of the night and morning in July 2007, when two men armed only with a BB gun that looked like a real pistol burst into the Colonial-style home of a successful doctor.

The men [put him and his family](#) through an ordeal of beatings and sexual abuse that ended as flames tore through the house where the girls, still alive, had been strapped to their beds. Their mother had already been strangled.

Only the father — Dr. [William A. Petit Jr.](#), dazed and bloodied after being beaten with a baseball bat in his sleep — managed to escape.

He was in the front row of a courtroom here on Monday, slumped forward, as the defendant, Steven J. Hayes, sat motionless at the defense table. The court clerk announced, again and again, that jurors believed the crimes Mr. Hayes had committed required that he be put to death. In thanking jurors, Judge Jon C. Blue of State Superior Court said they had been "exposed to images of depravity and horror no human being should have to see."

The verdict came at the beginning of the fourth day of deliberations in the trial's penalty phase. Only one person has been executed in Connecticut since 1960.

"This is a verdict for justice," Dr. Petit said afterward. "The defendant faces far more serious punishment from the Lord than he can ever face from mankind."

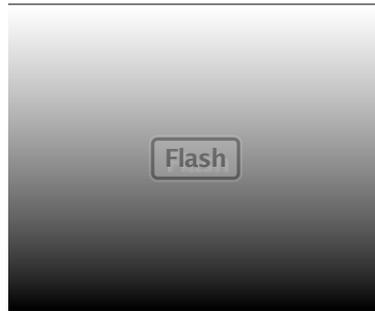
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and Michaela, 11.

One juror, Herbert R. Gram, of Madison, said the panel experienced little disagreement during deliberations.

“It was just so heinous, and just so over the top and so depraved,” he said of the crime. “Here’s a case where somebody doesn’t deserve to remain on the face of the earth.”

Another juror, Delores A. Carter, 67, a retired health care worker from Hamden, said, “Justice has prevailed.” She added that it was draining to reach the verdict.

“It’s not easy putting someone’s life on the line,” she said.

A second defendant, Joshua Komisarjevsky — whom Mr. Hayes’s defense lawyers portrayed as the leader to their client’s hapless, drug-addled follower — will be tried separately.

The home invasion on Sorghum Mill Drive was called one of the worst crimes in Connecticut history, and was compared to the 1959 murder of a family in Kansas that was the centerpiece of [Truman Capote’s](#) book “[In Cold Blood](#).” The Cheshire crime has already been the subject [of its own books](#).

Jurors found that all six of the capital felony counts of which Mr. Hayes had been convicted on Oct. 5 required a death sentence.

They stood in the jury box, some looking drawn, as the court clerk read through the long verdict form they had completed. Dr. Petit watched clear-eyed with members of his family as the clerk read “Death is the appropriate penalty” repeatedly from the verdict forms.

Dr. Petit’s father was there, too; someone put a hand on the older man’s back.

The jurors all somberly answered “yes” when the clerk asked if they agreed with the verdict. One wiped away tears.

Each was then asked to stand and say if a death sentence was his or her choice. During the roll call, Mr. Hayes, sitting between his two lawyers, looked straight ahead, only occasionally stealing a sideways glance at the people who were condemning him.

Mr. Hayes’s chief lawyer, Thomas Ullmann, patted the convicted killer on the shoulder as he was taken out through a side entrance in a baggy blue dress shirt and loose pants, the last civilian clothing he was ever likely to wear. He later told reporters that Mr. Hayes “was smiling.”

“That’s what he’s wanted all along,” he continued. “ ‘Suicide by state.’ ”

Michael Dearington, the chief prosecutor, hugged Dr. Petit. Perhaps alluding to the years of certain appeals or perhaps to Mr. Komisarjevsky’s trial, Mr. Dearington later said to reporters in the well of the courtroom, “It was a fairly tried case by both sides, and it’s not over yet.”

The trial’s penalty phase featured a catalog of arguments by the defense against a death sentence, as partisans on both sides of the capital punishment debate came to see the case as a test of the issue in Connecticut and beyond. The state legislature voted to repeal capital punishment last year, but Gov. [M. Jodi Reil](#), who is leaving office, vetoed the measure, citing the Cheshire killings. It was a volatile issue in the election last week.

Defense lawyers said Mr. Hayes “can’t live with himself” because of feelings of remorse and was suicidal. They also brought out testimony portraying Mr. Hayes, 44 at the time of the crime, as a klutz of a criminal, while a witness called by the defense described Mr. Komisarjevsky, 26 and with a substantial criminal record of his own, as “the devil” — a comparison the defense lawyers fostered through weeks of testimony.

Mr. Hayes, a parolee when the crime occurred, has spent much of his adult life as a prisoner.

Judge Blue set Dec. 2 as the date he will officially impose the sentence.

Mr. Hayes and Mr. Komisarjevsky invaded the [Petit family’s](#) home, perhaps after spotting [Jennifer Hawke-Petit](#), who was 48, and her two daughters, [Hayley](#), 17, and [Michaela](#), 11, in a shopping center parking lot.

They beat and tied up the doctor, forced the mother to withdraw \$15,000 from a bank and sexually abused her and Michaela. By the time Mr. Hayes and Mr. Komisarjevsky left with a squeal of rubber from the family’s stolen minivan, Ms. Hawke-Petit had been strangled and the house was ablaze. A bank employee had alerted the police, and officers had set up roadblocks near the house by the time the suspects tried to flee.

Connecticut provides for execution by lethal injection. But because of appeals, death

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penalty lawyers said it would probably be many years before Mr. Hayes faced execution, if he ever does. A serial killer, Michael B. Ross, was the last person executed in Connecticut, in 2005, after he decided to forgo further appeals. He had spent 18 years on death row. Mr. Hayes will join nine other inmates awaiting capital punishment in Connecticut.

More than three years after the Cheshire crime, the trial, which began on Sept. 13, transfixed the state, with the stirring testimony from Mr. Petit. News reports of proceedings in Courtroom 6A, some delivered on [Twitter](#), became a communal exploration of people’s basest fears.

Mr. Komisarjevsky’s prison journals were read into evidence at the request of Mr. Hayes’s lawyers. They presented a chilling view of Mr. Komisarjevsky as a man who thrived on the excitement of the crime and dwelled on how easy it was to exploit people’s vulnerabilities.

Jurors were sometimes tearful as they reviewed photographs of the burned bodies and heard testimony about the matter-of-fact confessions made both by Mr. Hayes and Mr. Komisarjevsky. Each man said the other had taken an unexpected path toward violence that had not been planned.

The story of the crime “will break your hearts,” Mr. Ullmann, the chief defense lawyer, had told the jurors in his opening statement at the trial.

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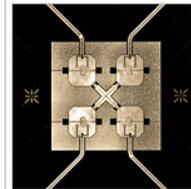
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