

Authorized Federal Capital Prosecutions Which Resulted in a Conviction of a Lesser Offense - 6/10/2016

Smith, Howard L.

E.D. VA CR No. 97-341-A

Lesser included conviction

Name of AG Reno

Race & gender of def

B

M

Victim R

BM

Date of DP notice 10/3/1997

the stabbing death of a Lorton Correctional Center inmate. The defendant was serving a 20-to-life sentence for a murder he committed ten years previously, at age 17. Lorton is the District of Columbia prison complex, but is located in suburban Virginia. After a one-week 1998 trial, a jury in Alexandria, Virginia, rejected first-degree murder charges and convicted Smith of second-degree murder, which is not a death-eligible offense. Although a number of Lorton murders have been prosecuted in federal court since passage of the 1994 Crime Bill, the Smith case was the first approved for capital prosecution. Smith was sentenced as a "career offender" to life without release.

Thomas, Christopher

E.D. VA CR No. 99-477-A

Lesser included conviction

Name of AG Reno

Race & gender of def

B

M

Victim R

BM

Date of DP notice 2/6/2000

another murder at the District of Columbia Department of Corrections facility in Lorton. The victim allegedly brought a shank to the fight and the defendant wrestled it from him and stabbed him three times. Thomas was convicted of second degree murder. All involved are African-American. This was Thomas' third murder conviction.

Irby, James Allen

D. MD No. 8:03-CR-00490-RDB

Lesser included conviction

Name of AG Ashcroft

Race & gender of def

B

M

Victim R

BM

Date of DP notice 8/2/2004

the victim was an informant who provided information to the ATF in a DC firearms investigation, which resulted in a search warrant. Shortly after, the victim, a potential government witness, was found in a burning apartment, shot three times and with 184 stab wounds. A wired informant obtained an admission from the defendant. Attorney General Ashcroft rejected an offer to plead guilty to a life sentence. All involved are black.