

Death penalty attorney needed for Kennewick murder case, judge says

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By Kristin M. Kraemer — Tri-City Herald

Kennewick — The judge assigned to Kennewick's new aggravated murder case said Wednesday that he is obligated to give the suspect a specially qualified attorney now even if prosecutors don't expect to pursue the death penalty.

Grant W. Scantling currently is represented by Alexandria Sheridan and Scott Johnson, and the two Kennewick lawyers will remain on his case.

However, Judge Robert Swisher said the Benton & Franklin Counties Office of Public Defense needs to start looking for another attorney just in case prosecutors seek the death penalty.

The Washington state Supreme Court Clerk's Office has a short list of lawyers who have met the standards to be appointed on capital cases. The majority of those lawyers practice on the west side of the state.

Scantling, 41, is charged in Benton County Superior Court with aggravated first-degree murder and first-degree burglary. Prosecutors allege he killed his former fiancée's roommate after breaking into her home March 22.

If convicted as charged, he could spend the rest of his life in prison or face a death sentence.

Prosecutor Andy Miller told the judge that court rules are specific that a qualified attorney must be on board during the preparation of a mitigation package, which is used to argue why the defendant shouldn't face the death penalty if convicted. Miller said they should follow those rules.

He said the Supreme Court has made it difficult to ask for the death penalty in Washington, and "his case at first blush" doesn't meet the requirements.

"At this moment, I think it's unlikely (the death penalty will be sought), but I don't think I can make a determination on the record," Miller told the judge. He added that his office can't do a complete case report until they have all the police reports. Prosecutors have

30 days to file a notice of plans to seek the death penalty, unless they request an extension. An April 24 status hearing is scheduled.

Johnson argued that Scantling has “a strong desire” to keep his current two attorneys, given their discussions in the past 1 1/2 weeks.

Johnson also noted he has experience working with Miller on two aggravated murder cases from his days as a deputy prosecutor.

Scantling, who’s in the Benton County jail on \$1 million bail, confirmed in court that he is satisfied with Sheridan and Johnson handling his case.

Court documents claim Scantling entered the 520 E. Eighth Place home about 7:30 a.m. and shot Franklin Palmer several times in the head and the chest.

Palmer, 24, died in the hallway. He was friends with Ann Marie Krebs and had been staying in the duplex with Krebs and her three children for about two months.

Scantling then went into Krebs’ bedroom, grabbed her by the neck and pointed a handgun at her forehead, documents said. He allegedly blamed the shooting on her because “she slammed the door on him a few days ago.”

Scantling ended up lowering his gun and running out of the house, documents said. He was arrested that afternoon in Spokane. Scantling is the father of two of Krebs’ three children. On the day of the shooting, Krebs had planned to move with the kids to Michigan.

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