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CONVICTION OF LAWRENCE MONTANARO
AFFIRMED BY THE MINNESOTA SUPREME COURT

Today, September 7, 2011, the Minnesota Supreme Court affirmed the murder convictions of Lawrence James Montanaro, finding that the post-conviction court did not abuse its discretion when Appellant's Petition for Post-Conviction Relief was denied.

Montanaro was indicted for 15 felony counts including first degree murder for the death of a peace officer. He had been found guilty of the murder of Sergeant Gary Wilson and the attempted murder of Sergeant John Hartley. He was sentenced to life in prison.

Montanaro claimed he was entitled to a new trial because of an instruction regarding self defense that was given to the jury. The Court advised the jury that a person claiming self defense has to not only act reasonably but also has a duty to retreat to avoid the danger. The Minnesota Supreme Court found that even though this was an error due to the fact that Montanaro was in his abode, the instruction could not have had a significant effect on the jury's verdict and, therefore, did not affect Montanaro's substantial rights.

Montanaro also claimed that comments made during the final argument by the prosecution were improper. The Court again found that even if there was some question as to the propriety of the comments, there was no reasonable likelihood that anything said during the summation would have had a significant effect on the jury's verdict and, again, did not affect Montanaro's substantial rights.

This case opens up wounds that have yet to heal after 21 years. Our hearts go out to the families of Sergeants Wilson and Hartley and to the survivors and their families. Hopefully this case can now be put to rest.

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