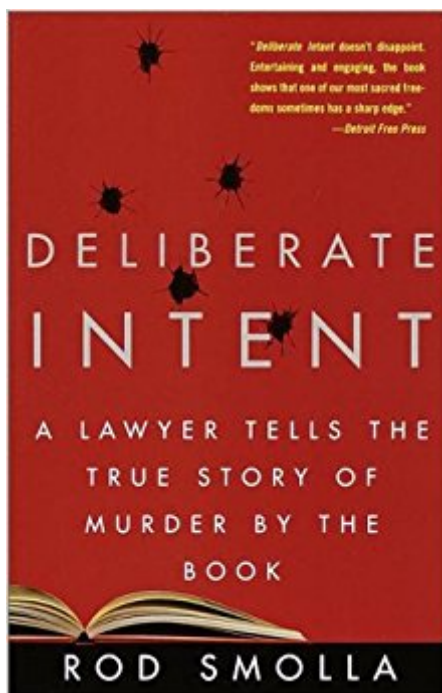


The book was found

# Deliberate Intent: A Lawyer Tells The True Story Of Murder By The Book



## Synopsis

The case was this: Lawrence Horn hired a contract killer to execute his ex-wife and severely brain-damaged son. On March 3, 1992, the man he hired, an inexperienced killer named James Perry, used a book called Hit Man -- billed by the publisher as "A Technical Manual for Independent Contractors" -- as a blueprint for the murders; following to the letter the book's explicit instructions on how to make the killings look like a burglary gone wrong and how to keep from leaving forensic evidence at the scene. To Horn and Perry it seemed like Hit Man was all they needed to create the perfect murder. They were wrong. The copy of Hit Man found in James Perry's possession actually helped the prosecution lock up Horn for life and send Perry to death row. But the Hit Man case was not closed. The victim's families shocked the nation by filing an unprecedented wrongful death suit against Paladin Press, the publisher of Hit Man -- a suit that seemed to defy the First Amendment itself. Although it went against his abiding belief in freedom of the press, Rod Smolla took the case, likening the book to "a loaded pistol or a vial of poison." *Deliberate Intent* is the dramatic story of the legal battle that followed.

## Book Information

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## Customer Reviews

*Deliberate Intent* is a book about a lawsuit about a book about murder. The latter book, *Hit Man: A Technical Manual for Independent Contractors*, is precisely what it claims to be: a step-by-step DIY guide to freelance assassination. Few people read *Hit Man*; even fewer took it seriously. Ex-con James Perry did both, and when Lawrence Horn hired the felonious entrepreneur to do a little job for

him, Perry followed the book's instructions to the letter, executing his client's ex-wife and brain-damaged son along with the boy's nurse. After the murderous co-conspirators were convicted and sent to prison, the families of the victims filed a wrongful-death suit against the book's publisher for aiding and abetting triple homicide. Authored by a member of the plaintiffs' team of lawyers, *Deliberate Intent* is an atypical nonfiction legal thriller. Rod Smolla has not reconstructed his role in *Rice v. Paladin Enterprises, Inc.* to spotlight his valiant determination and legal genius; instead, he offers uncommonly candid insight into his struggle to reconcile the First Amendment's protection of free speech with the sixth commandment's proscription against murder. A respected scholar of constitutional law, Smolla was understandably reluctant to take on a case with potentially damaging consequences for the Bill of Rights--and willingly admits there were times when he questioned if he was on the right side of the fight. Words don't kill people, after all; assassins kill people. Literacy is hardly a prerequisite. Eventually, however, Smolla decides, "A publisher who provides detailed information on techniques of violent crime with the deliberate intent that some readers will use the information to murder and maim will not find refuge in the First Amendment." (In May 1999, just before the case was to go to jury trial, Paladin reached an out-of-court agreement with the victims' families. As part of the settlement, Paladin withdrew *Hit Man* from the market.) --Tim Hogan --This text refers to an out of print or unavailable edition of this title.

a civil suit against Paladin, which they did. As PW reported (News, May 31), Paladin recently settled out of court for an estimated \$5 million and agreed to cease publishing *Hit Man*. Copyright 1999 Reed Business Information, Inc. --This text refers to an out of print or unavailable edition of this title.

Great Job!

I often find myself starting another book when I'm in the middle of 12 others, but sometimes one of them is good enough to hold my attention to the exclusion of the others. *Deliberate Intent* was one. It is the story of a first amendment attorney who crosses over to join a civil suit against the publisher of a book called "*Hit Man - A Technical Manual for Independent Contractors.*" The book was used as a guide for a triple murder. It was worth reading just for the excerpts from *Hit Man*. They are absolutely shocking. I understand why some reviewers said this is a book for lawyers: the author often digresses by relating dialogs he had with his students at a law school. I'm not a lawyer, but I found these digressions educational and they usually ended up somehow relating to the story. I give this only four stars because it wasn't as good as *Civil Action* to which I give 5 stars.

A publishing house turns a tidy profit on a "how to" book--about how to be a contract killer, that is. A man hires somebody to kill his wife and handicapped son for insurance. The murder is committed using the "how to" book as a blueprint. What is a First Amendment free speech absolutist to do? That is the burden of this book and its author, Rod Smolla, a professor of law at William and Mary's law school. With every fiber of his being, Smolla believes in the First Amendment and unfettered free expression. Then, he takes on the case of the victims' next of kin against the publisher...and winds up doing battle against the assembled might of the First Amendment bar in federal court. It's all here. Smolla is a good story teller and he has put together a good narrative of the thrust and parry, point and edge of the case. His character sketches of the lawyers involved and the defendant publisher are wickedly funny. He spares no one, friend or foe (at one point, he says that his co-counsel on the case suffers from "narcistic fibrosis.") The writing style is crisp and fluid. Smolla weaves into the book meditations on the clash of rights with obligations, the different schools of jurisprudential thought from the Natural Law to Legal Realism, the vicissitudes of judges and judging, and the tension-filled process of creating a legal theory and the record to back it up. I was so engrossed in the story I had no idea I was actually learning something! As an aside to lawyers and law students, this could be the best basic book on legal process and legal practice since the "Buffalo Creek Disaster." If you like this book, check out Patrick Cleary's book on the R.A.V. cross-burning case before the Supreme Court.

Rod Smolla's book has only been on the market two months and already many readers are vastly separated in their opinions relative to Smolla's actions and opinions. One review labels *Deliberate Intent* as "a book for lawyers by a lawyer." While the premise behind the book - a First Amendment lawyer switches sides to sue the publisher of a how-to-commit-murder book - is a controversial one, the book itself is well written. In today's litany of reviews, it seems that if the reader's opinion of the writer's position is positive, so too is the opinion of the overall book. The reverse is also true. In this case, the issue at hand is controversial - from a legal standpoint. From a literary perspective, Smolla hits the proverbial nail on the head. This book is about American law plain and simple. It's about the struggles of law, of lawyers and plaintiffs and defendants and judges and the Constitution. It's this struggle that is captured so well in *Deliberate Intent*. For the novice legal reader, Smolla interjects passages from his law classes in a perceived effort to educate the novice reader on legal ideology and procedure. This technique works, making the text easy to understand for those uneducated as to the normal legal wranglings associated with civil law. This book is not a legal textbook and, thus,

is not bogged-down with countless case histories, footnotes and attributions. Few readers will be able to put the book away upon completion and not think of the outcome and continued debate over the First Amendment and its legal implications for all of us.

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