

# Texas executes John Ramirez despite objections of Nueces County district attorney

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Texas carried out the execution of John Henry Ramirez on Wednesday evening at the state prison system's Huntsville Unit, despite the opposition of the Nueces County District Attorney. It was Ramirez' second and final date with the executioners.

Ramirez, 38, was convicted and sentenced to death for the 2004 murder of Pablo Castro, 46, who was fatally stabbed 29 times during a robbery while taking out the trash at a convenience store in Corpus Christi. Castro was robbed of only \$1.25 in change during the murder. Ramirez evaded arrest by escaping to Mexico before being caught in 2008.

Ramirez' execution made headlines because a ruling by the US Supreme Court allowed him to have his spiritual adviser with him in the execution chamber, who was permitted to pray aloud and "lay hands" on the prisoner as he died by lethal injection.

Ramirez was injected at 6:27 p.m. with a single lethal dose of pentobarbital, a short-acting barbiturate that causes death by respiratory arrest in high doses. Before the lethal injection began, Ramirez addressed his victim's children, who attended the execution as witnesses.

"I just want to say to the family of Pablo Castro, I appreciate everything that y'all did to try to communicate with me through the victim's advocacy program," Ramirez told the Castro family.

"I have regret and remorse, this is such a heinous act. I hope this finds you comfort. If this helps you then I am glad. I hope in some shape or form this helps you find closure," Ramirez said, before telling his friends and family, "Just know that I fought a good fight, and I am ready to go."

The Rev. Dana Moore of the Second Baptist Church of Corpus Christi was in the execution chamber when Ramirez was put to death. Ramirez was pronounced

dead at 6:41 p.m. local time, 14 minutes after the lethal drug was administered, according to the Texas Department of Criminal Justice.

While Ramirez' execution drew attention because the reverend was allowed in the execution chamber, the most significant development was that the execution was allowed to take place at all. Unbeknownst to Nueces County District Attorney Mark Gonzales, one of his staffers had submitted a request for an execution date for Ramirez.

A state appeals court judge ruled against a subsequent request by Gonzales to withdraw the death warrant and the Texas board of Pardons and Paroles unanimously recommended against commuting Ramirez' death sentence to a lesser penalty.

Gonzales told the *Texas Tribune* that his ethical opposition to capital punishment stems from the disparity in how the death penalty is imposed in Texas, where 45 percent of death row inmates are black, while only 12 percent of the state's residents are black.

"All we can continue to do is to not continue seeking the death penalty," he said. "That's what I pledge to do, it's the only thing in my power." Gonzales was elected to a second four-year term as county district attorney in 2020 on a platform of judicial reform, an indication of changing popular attitudes toward the death penalty.

The condemned man was first set to be executed on September 8, 2021. He had asked that Rev. Moore be allowed to "lay hands" on him and "pray over" him at the execution. Texas denied this request and Ramirez appealed, arguing that Texas corrections officials' denial of his request would violate his rights under the First Amendment and the federal Religious Land Use and Institutionalized Persons Act.

Through his attorneys, Ramirez appealed to the US

Supreme Court. Moore was at the prison waiting for the execution to begin, and Ramirez was in the holding room, when the high court halted it at the 11th hour. In March, the court ruled 8–1 in Ramirez’s favor—to permit his spiritual adviser to pray and “lay hands” on him in the execution chamber and allowing a new date for his execution to be scheduled.

Writing for the majority, Chief Justice John Roberts Jr. said that Ramirez’ religious rights were protected by federal law. If the pastor were allowed in the room, Roberts said, “we do not see how letting the spiritual advisor stand slightly closer, reach out his arm, and touch a part of the prisoner’s body well away from the site of any IV line would meaningfully increase risk.”

The ruling opens the way for the executions of other death row inmates, who are similarly asking that their spiritual advisors be in the execution chamber, to proceed. The sole dissenter, Justice Clarence Thomas, argued that Ramirez seemed to be seeking a delay of his execution.

As with other rulings by the high court related to executions—allowing for executions of the mentally incompetent as well as defendants convicted of crimes committed as juveniles—this ruling strips away one more impediment to keeping the execution machine grinding.

Texas has executed 576 people since the Supreme Court reinstated the death penalty in 1976, far more than any other US state. Twenty-seven states, plus the federal government and the US military, still have the death penalty on the books.

An estimated 2,500 prisoners currently languish on death rows across the US, according to the Death Penalty Information Center. John Ramirez was the 1,551st person executed in the US since 1977.



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