

Florida and Texas execute intellectually disabled death row inmates

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The US carried out a double state killing on Thursday, with two states executing intellectually disabled death row inmates. These executions bring to five the number of executions carried out so far in 2025.

Florida

James Dennis Ford, 64, was convicted and sentenced to death in 1999 for the 1997 murders of Gregory Malnory, 25, and his wife Kimberly, 26, during a fishing trip in Charlotte County, Florida. Both were shot with a .22-caliber rifle. Kimberly Malnory was also sexually assaulted. The couple's 22-month-old daughter witnessed the shootings, but survived.

Ford's was the first execution of the year in Florida. Governor Ron DeSantis signed his death warrant in January. His execution was noteworthy in that the jury recommended a death sentence by a vote of 11-1, which the trial judge accepted. In 2016, following a US Supreme Court decision, Florida briefly required a unanimous jury recommendation for a death sentence. However, in 2023, following the Parkland school shootings, DeSantis signed a bill allowing the imposition of a death sentence by a judge following an 8-4 jury vote, the lowest threshold in the nation.

Ford was executed at the Florida State Prison in Bradford County with a three-drug lethal injection protocol of the sedative etomidate and the paralytic rocuronium bromide, followed by potassium acetate to stop the heart. Concerns have been raised about the effectiveness of etomidate, which is not used in other states, and the potential for conscious suffering by the prisoner during the execution process.

Ford made no final statement before his execution.

According to metro.co.uk, after receiving the lethal injection, his chest began heaving and he then went still. After several minutes, he did not respond to a prison staff member shaking him and yelling his name and he was pronounced dead at 6:19 p.m. local time. More than 70 protesters gathered across from the execution site, with some striking a bell that reportedly was audible from death row at the time the execution was scheduled.

Ford's legal team submitted multiple appeals over the years, all of which were unsuccessful. Most of the appeals focused on their client's intellectual disabilities. The final appeal to the US Supreme Court centered on Ford's mental and developmental age. The attorneys claimed that at the time of the murders, Ford had the mental and developmental age of a 14-year-old, despite being 36 years old.

Ford's defense sought to expand the scope of the 2005 Supreme Court decision in *Roper v. Simmons*, which prohibits the execution of individuals who were under 18 at the time of their crime as a violation of the Eighth Amendment's prohibition against cruel and unusual punishment. Between the high court's reinstatement of the death penalty in 1976 and the 2005 ruling, 22 individuals were executed across the US for crimes committed as juveniles.

Ford's attorneys argued that the class of offenders exempt from the death penalty as juveniles should be broadened to include individuals with a mental and developmental age less than 18, independent of their chronological age.

According to court documents, recent testing by neuropsychologist Dr. Hyman Eisenstein showed Ford scoring at an IQ equivalent of 65 on certain tests, placing him in the intellectually disabled range. Dr. Eisenstein's evaluation found Ford's age-equivalence on language and abstraction skills tests to be between 12 to 15 years old, despite Ford's age of 64.

Seeking to ramp up executions in the state in line with the Trump administration's assault on immigrants, on January 28, during a special legislative session called by Governor DeSantis, the Florida legislature passed an immigration bill that mandates the automatic imposition of the death penalty for "unauthorized aliens" convicted of a capital offense. Bills requiring mandatory death sentences contradict longstanding US legal precedent and international law.

Texas

Also executed on Thursday was Richard Lee Tabler in Texas. Tabler, 46, was convicted and sentenced to death for the 2004 Thanksgiving Day killings of Mohamed-Amine Rahmouni, 25, and Haitham Frank Sayed, 28. The murders followed a dispute between Tabler and Rahmouni, who had fired Tabler from his job at a nightclub. Tabler admitted to the murder two days later of Amanda Benefield, 16, and Tiffany Dotson, 18, dancers at the same club, but was never tried for those killings.

In a final statement on his execution day, Tabler said, "There is not a day that goes by that I don't regret my actions. I had no right to take your loved ones from you, and I ask and pray, hope and pray, that one day you find it in your hearts to forgive me for those actions."

Tabler was injected with a single lethal dose of the sedative pentobarbital in the execution chamber of the state penitentiary in Huntsville. He was pronounced dead at 6:38 p.m. local time by prison authorities.

During the punishment phase of his trial, Tabler's defense team presented mitigating evidence focusing on his troubled background and mental health issues. His mother and sister testified to his challenging upbringing, potential birth trauma and history of psychiatric treatment.

Dr. Meyer Proler, a clinical neurophysiologist, testified that Tabler had an abnormality in the left temporal region of his brain, which caused difficulties with learning, planning and weighing the consequences of his actions. Psychiatrist Dr. Susan Stone testified that Tabler suffered from severe attention deficit hyperactivity disorder (ADHD) and borderline personality disorder, and had a history of head injuries said to inhibit his ability to rationally assess situations and control his impulses.

Between 2008 and 2013, during the appeal process, on numerous occasions Tabler expressed his wish to waive

his appeals—making him a "volunteer" for execution—only to ask later that they be reinstated. The state eventually ruled that Tabler was competent to waive his appeals, despite a federal district court finding in 2011 that upheld his competence but questioned whether his waiver was truly voluntary due to alleged threats from prison staff and inmates, according to court filings.

There are six more executions scheduled between now and March 20, including one in South Carolina on March 7, one in Texas March 13, and a four-day execution spree March 17-20, which will include two in Louisiana and one each in Arizona and Oklahoma.

Federal death row

An executive order by President Trump on Inauguration Day lifted the moratorium on federal executions put in place by the Biden administration. There are currently no federal executions scheduled after President Biden commuted the death sentences of 37 of 40 federal death row inmates to life imprisonment without parole.

On February 5, Attorney General Pam Bondi issued a memo directing federal prosecutors to pursue the death penalty in cases involving the murder of law enforcement officers, and for capital crimes committed by undocumented immigrants. The memo instructed the Justice Department to work with local prosecutors to pursue death sentences under state law for the 37 federal prisoners whose death sentences were commuted by Biden.



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