Florida’s assembly line of death grinds on with execution of Billy Leon Kearse

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In a continuation of what has become the deadliest era of state-sanctioned killing in modern Florida history, the state executed Billy Leon Kearse on Tuesday, March 3. Kearse, 53, was killed by lethal injection at Florida State Prison near Starke for a crime committed over three decades ago when he was just 84 days past his 18th birthday. He was pronounced dead at 6:24 p.m. local time.

Kearse’s attorneys filed an application for a stay on February 28 to Supreme Court Justice Clarence Thomas, citing Sixth Amendment jury impartiality issues and Eighth Amendment intellectual disability claims. Just hours before he was set to die, the Court rejected Kearse’s petition without comment. Last week, the Florida Supreme Court denied his appeal.

Kearse’s execution marks the first of three scheduled in Florida this month alone, an unprecedented pace that signals a further escalation of capital punishment policy under Governor Ron DeSantis. Following Kearse’s execution, the state plans to kill Michael King on March 17 and James Duckett, a former police officer, on March 31. This killing spree follows a record-breaking 2025, during which Florida carried out 19 executions—accounting for approximately 40 percent of all executions nationwide.

A background of intellectual disability and childhood trauma

The details of the 1991 crime reflect what defense experts described as the “panicked, fight-or-flight impulsivity” of a late-adolescent brain. In January 1991, Kearse was pulled over by Fort Pierce Police Officer Danny Parrish for driving the wrong way on a one-way street. When Kearse could not produce a license and gave false aliases, Parrish attempted to handcuff him. A struggle ensued, and Kearse grabbed the officer’s service weapon, firing 14 shots; 13 struck Parrish, who later died at the hospital.

While the state portrays Kearse as a calculated killer, his history paints a far more complex picture of systemic social failure and intellectual disability. Kearse’s childhood was marked by severe neglect and emotional distress. His mother reportedly drank heavily during pregnancy, most likely leading Kearse to suffer from Fetal Alcohol Syndrome; he also suffered a head injury as a toddler. By age eight, he was already in the juvenile justice system for being “beyond control,” and he spent his youth in special education programs for the “severely disturbed.”

The US Supreme Court ruled in *Roper v. Simmons* in 2005 that executing individuals for crimes committed as juveniles under age 18 violates the Eighth Amendment’s prohibition on cruel and unusual punishment. Prior to this ruling, 22 juvenile offenders were executed, the last being Scott Hain, 17, in Oklahoma. Texas accounted for 13 of these executions.

Maria DeLiberato, legal and policy director for Floridians for Alternatives to the Death Penalty (FADP), stated, “Mr. Kearse’s case implicates nearly every constitutional and due process concern imaginable—from the fact that he was just 18 years old at the time of the offense, to his well-documented intellectual disability, to the circumstances surrounding the tragic death of Sgt. Parrish, which reflect the kind of panicked, fight-or-flight impulsivity we know is common in late adolescent brains.”

DeLiberato added, “That impulsivity is precisely why the Supreme Court of the United States barred the death penalty for those under 18, recognizing that juveniles lack the maturity, judgment, and neurological development of adults. From a constitutional standpoint, Billy Kearse never should have been sentenced to death—let alone executed.”

Legal experts argue that Kearse is constitutionally ineligible for execution due to these disabilities. He functions at a third or fourth-grade level, has a documented history of adaptive deficits, and has presented full-scale IQ scores that place him squarely within the range of intellectual disability.

The US Supreme Court ruled 6-3 in *Atkins v. Virginia* in

2002 that executing individuals with intellectual disabilities, which the justices referred to as "mental retardation," violates the Eighth Amendment's ban on cruel and unusual punishment.

The WSWS wrote at the time:

> The extreme-right core of the court—Chief Justice William Rehnquist and Justices Antonin Scalia and Clarence Thomas—issued vigorous dissenting opinions. This is the same ultra-right trio, along with Justices Sandra Day O'Connor and Anthony Kennedy—all named to the Court by Republican presidents—who voted to block the Florida vote count in the 2000 presidential election and install George W. Bush in the White House.

In his dissenting opinion, Scalia

> argued that the mentally retarded should not be spared the death penalty because "deservedness of the most severe retribution [capital punishment], depends not merely (if at all) upon the mental capacity of the criminal ... but also upon the depravity of the crime."

While the *Atkins* ruling barred execution of juvenile offenders, the high court left it to the states to determine who is ineligible for execution based on intellectual disability. The execution of Billy Kearse demonstrates the non-binding character of the Court's ruling.

Procedural failures and jury irregularities

The history of Kearse's legal case is a decades-long saga of procedural maneuvering. Originally sentenced to death in 1991, his sentence was vacated by the Florida Supreme Court in 1995 due to sentencing errors. However, he was resentenced to death in 1997.

This resentencing has recently come under intense scrutiny. A juror from that proceeding publicly confirmed on social media after Kearse's death warrant was signed that the courtroom was "filled with law enforcement officers from across the state," a visible display of authority that she admitted affected the jury's deliberations in a case involving the killing of a police officer. Despite this admission of improper influence, the Florida Supreme Court has declined to meaningfully review the issue, blocking the claim on technical procedural grounds.

Kearse's execution proceeds amid a record of maladministration in Florida's lethal injection protocol. Investigations into executions carried out in 2025 revealed half of them involved significant issues: the use of expired drugs, underdosing of paralytics and the administration of unauthorized chemicals like lidocaine.

In a February 2024 statement, Supreme Court Justice Sonia Sotomayor criticized the secrecy surrounding Florida's protocols, noting that prisoners are trapped in a "Catch-22." The state denies inmates access to execution records, then argues they lack enough evidence of "cruel and unusual punishment" to warrant a stay. By shrouding the process in secrecy, Sotomayor warned, Florida undermines the integrity of the judicial process itself.

The acceleration of executions is part of a broader resurgence of the death penalty in Florida. Governor DeSantis recently signed legislation allowing for death sentences based on an 8-4 jury recommendation, directly challenging US Supreme Court precedents that had moved toward requiring unanimity. Furthermore, Florida remains the only state where the governor maintains sole authority to sign warrants without independent oversight.

Resistance to this spree of death continues to mount. Organizations such as FADP and the Catholic Mobilizing Network organized vigils and petition drives, urging clemency for Kearse and other death row inmates. They argue that capital punishment is a state-sanctioned violation of human dignity that disproportionately targets the disabled and the impoverished. They call for an end to capital punishment, reflecting growing opposition in the American public to the barbaric practice.