

State killings in Alabama and Texas, a stay of execution in Georgia

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Alabama executed Jeffery Lee by lethal injection Thursday evening, one day after Texas put LeJames Norman to death and a Georgia judge halted the scheduled execution of Stacey Humphreys. Each case lays bare the arbitrary and vindictive character of capital punishment in America. Lee, 49, was sent to death row by a judge who overrode a jury's 7-5 vote for life without parole—a practice Alabama abolished in 2017 but refused to make retroactive. Norman, 40, was executed after his attorneys showed that the same prosecutor, who praised his remorse and cooperation at his codefendant's trial, presented a contradictory account of the crime to secure his death sentence. Humphreys, 53, was granted a stay less than 24 hours before his scheduled execution in Georgia to allow a hearing on whether the horrific abuse he suffered as a child qualifies him for resentencing under a new Georgia law.

Jeffery Lee executed in Alabama

Lee was executed at the William C. Holman Correctional Facility in Attmore. Alabama Attorney General Steve Marshall cleared the execution to begin at 6:08 p.m., and Lee was pronounced dead at 6:22 p.m. local time. The US Supreme Court denied his request for a stay without comment about six hours before the execution was carried out. Republican Governor Kay Ivey, who had presided over 26 executions before Thursday, announced she had no plans to grant clemency. Lee's was the second execution in Alabama this year, following that of Jeremy Williams on August 13.

On December 12, 1998, Lee, then 21, entered Jimmy's Pawn Shop in Orrville, a small town west of Selma in rural Dallas County, and asked an employee about wedding rings, saying he would return after getting money from his grandmother. According to the attorney general's office, Lee had spent the night drinking and using marijuana and cocaine. He returned minutes later with a sawed-off shotgun and opened fire, killing the store's owner Jimmy Ellis and his ex-wife, employee Elaine Thompson. A third employee, Helen King, was wounded but survived by playing dead, then locked the door after Lee left and called 911. Lee was arrested the following morning in Coweta County, Georgia, and signed a confession.

Lee was convicted of capital murder and attempted murder in April 2000 after a trial that lasted less than two days. Lee is black, and all three victims were white. Dallas County lies in Alabama's so-called Black Belt, a region with a long history of racial oppression, and the prosecutor used all 21 of his peremptory strikes to remove black potential jurors, according to the Equal Justice Initiative. Lee's court-appointed attorney had never tried a capital case and did almost nothing to prepare for trial, according to court filings.

At Lee's sentencing hearing, the defense presented no additional

evidence in support of a life sentence. The jury nonetheless voted 7-5 to recommend life without parole, citing Lee's youth and the fact that he had two children. His attorneys at the time also argued that he had an intellectual disability. Dallas County Circuit Judge Jack Meigs overrode the jury and imposed death, writing that Lee had "mercilessly" taken the victims' lives.

Alabama was the only state where judges routinely overrode jury verdicts of life to impose death, doing so in more than 100 cases since 1976. Nearly 20 percent of those currently on Alabama's death row were sentenced by elected judges after juries chose life. Florida and Delaware, the only other states that allowed the practice, ended it in 2016. Alabama abolished judicial override on April 11, 2017, but the law was not made retroactive, leaving Lee and about two dozen other inmates on death row.

"Under any circumstances, if this trial occurred today and the jury came back with life without parole, he would not be on death row and scheduled to die tomorrow," Democratic state Rep. Chris England, sponsor of the 2017 law, told the *Alabama Reflector* on Wednesday. Even former Alabama Supreme Court Chief Justice Drayton Nabers Jr., a Republican, urged Ivey to commute the sentence out of "fidelity to the conservative principles of limited government, respect for the jury system, and the rule of law." But Ivey's office dismissed such appeals out of hand.

The state's drive to kill Lee also involved a cynical switch in execution methods. In 2016, Lee challenged Alabama's lethal injection protocol as unconstitutional. After the legislature authorized nitrogen hypoxia in 2018, Lee selected the new method, and the state obtained dismissal of his lawsuit by agreeing that "if he is to be executed, defendants will carry out that execution by nitrogen hypoxia."

Alabama initially scheduled Lee's execution by nitrogen gas for June 11. But on June 4, a federal court permanently enjoined the state from using its nitrogen protocol on Lee, citing the potential for unconstitutional levels of pain and finding that a firing squad was a feasible alternative. The Supreme Court let that ruling stand on June 12. Within hours, the attorney general's office filed paperwork seeking a new date to kill Lee by lethal injection.

Lee's attorneys argued that the state had forfeited the right to use lethal injection under the 2018 agreement. US District Judge Emily Marks ruled that changed circumstances had altered the agreement. In a recording released by his legal team, Lee said, "I feel like they owe me their word because they came into agreement in 2018, that they wouldn't do what they are trying to do now." The state told the US Supreme Court, "Nearly twenty-eight years is decades too long," and rejected Lee's last-minute appeal.

Lee grew up in chronic poverty and could not afford a lawyer. In more than 25 years on death row, he had no violent infractions and became a Kairos ministry leader, an assistant chaplain and a mentor to other condemned men, according to the Catholic Mobilizing Network. On Tuesday, supporters rallied outside the state Capitol under the banner "HONOR THE JURY" and delivered a petition with more than 8,000

signatures to Ivey's office calling for a halt to the execution.

Texas kills LeJames Norman

Texas executed LeJames Norman on Wednesday evening at the state penitentiary in Huntsville. He was pronounced dead at 6:44 p.m. local time, hours after the US Supreme Court rejected his petition and request for a stay. Norman was the fifth person executed by Texas this year and the first since the state passed 600 executions in the modern era.

On August 24, 2005, Norman, then 19, and Ker'sean Olajuwa Ramey, then 20, broke into a neighbor's home in the small town of Edna intending to steal cocaine, according to court records. A fight broke out with the occupants, and Celso Lopez, 38, Tiffani Peacock, 18, and Sam Roberts, 24, were killed. Norman fled to Mexico but was stopped by Border Patrol agents when he reentered the US. He then cooperated with police and testified against Ramey. Norman pleaded guilty to capital murder in December 2008 and was sentenced to death after the penalty phase.

Norman's final Supreme Court petition centered on the prosecution's double-dealing. At Ramey's trial two years earlier, the prosecutor praised Norman for his remorse, honesty, acceptance of responsibility, bravery and cooperation. At Norman's own punishment phase, however, the same prosecutor presented what his attorneys called "false evidence and argument" that contradicted the account of the crime he had presented at Ramey's trial, misrepresenting the facts to make Norman appear more culpable. The prosecutor also claimed the state had not asked for Norman's cooperation, when in fact it had asked him to testify against Ramey. His attorneys argued this violated his right to due process. The Supreme Court declined to intervene.

Norman had also joined death row prisoner John Rubio in an August lawsuit seeking to block Texas's use of pentobarbital, arguing that the state's supply was either expired or produced by unreliable compounding pharmacies. The Texas Department of Criminal Justice tests the drug and extends its use date if it deems it effective, a practice critics call unreliable and unsafe. After Republican Attorney General Ken Paxton intervened, the Texas Court of Criminal Appeals blocked the Travis County judge from halting the executions. Ramey is scheduled to be put to death on September 23.

According to his attorneys, Norman grew up in a low-income family that at times lived in homeless shelters, and he was physically abused by parents who abused drugs and alcohol. When he was a child, a police officer shot and killed his father, which court records say "greatly affected Norman." His attorneys said he had shown remorse and accepted responsibility for the killings.

Georgia court stays Humphreys' execution

Stacey Humphreys was scheduled to die by lethal injection at 7:00 p.m. Wednesday at the Georgia Diagnostic and Classification Prison in Jackson. On Tuesday morning, the State Board of Pardons and Paroles denied his clemency petition. Shortly after 10:00 p.m. that night, Cobb County Superior Court Judge Tyler J. Browning stayed the execution to hold a hearing on whether Humphreys qualifies for resentencing under Georgia's 2025 Survivor Justice Act. On Wednesday, the Georgia Supreme Court left the stay in place while the state's appeal proceeds. Had it gone forward, the execution would have been Georgia's first since

March 2024.

The Survivor Justice Act allows people convicted before July 1, 2025, to petition for reduced sentences if severe childhood abuse or family violence significantly contributed to their crimes. Browning's order identified two novel legal questions: whether the law applies to a jury-sentenced death row prisoner who does not claim the crime was committed against an abuser, and whether it can be reconciled with state statutes mandating death sentences after jury recommendations.

Prosecutors are demanding the stay be lifted, arguing that the law was meant to protect people whose offenses were committed against their actual abusers and does not apply to capital sentences, and that the abuse evidence was already presented to the jury in 2007. "There's nothing in the statute that says that it applies to death row inmates," said Sabrina Graham of the attorney general's office.

On November 3, 2003, Humphreys entered the sales office of a new subdivision in Powder Springs, in Cobb County, where he confronted real estate agents Cyndi Williams, 33, and Lori Brown, 21, at gunpoint. He forced them to undress and give up their bank PINs before shooting them both. He withdrew more than \$3,000 from their accounts and was arrested five days later in Wisconsin after a high-speed chase. At the time, he was on parole for 1993 property crimes, and the parole board described him as "a property crime offender with no history of any sort of assault or violence in his past at all."

Humphreys was convicted in 2007 and sentenced to death after a trial marked by serious juror misconduct. Eleven of the 12 jurors initially voted for life without parole. According to affidavits from other jurors, the lone holdout "scream[ed]," "curs[ed]" and "vowed to stay there as long as it took to reach a death sentence." The juror had also failed to disclose during jury selection the full extent of a violent assault she had suffered. When jurors told the judge they were deadlocked, he ordered them to keep deliberating, and they eventually capitulated. Georgia's "no-impeachment" rule barred the jurors' testimony from being used to overturn the verdict. When the Supreme Court denied Humphreys' final appeal last October, Justice Sonia Sotomayor wrote in dissent that the sentence was tainted by a "single juror's extraordinary misconduct." On September 10, Browning denied Humphreys' motion for a new trial on these grounds.

A December 2025 execution date was suspended by the parole board amid defense allegations of conflicts of interest involving two board members. The stay was lifted in March, and the state set the September 16 date in late August.

Humphreys' childhood was one of relentless brutality. At his 2007 sentencing, his sister testified that their father beat him with his fists. He suffered a skull fracture at age three, and cigarette burns were observed on his body throughout his childhood. A clinical psychologist testified that his father would sit on top of him and beat him in the head, and that Humphreys exhibited symptoms of post-traumatic stress disorder, autism and a dissociative disorder with "lapses of awareness." Humphreys has said he cannot remember the day of the murders.

Executions in 2026

Lee's execution brings the number of people put to death in the US this year to 27, according to the Death Penalty Information Center. Florida has carried out 15 of them, followed by Texas with five, Oklahoma with three, Alabama with two and Arizona and Tennessee with one each. All were carried out by lethal injection. Last year, 47 people were executed nationwide, the most since 2009, with Florida alone accounting for 19, or 40 percent of the total.

At least 11 more executions are scheduled for the remainder of the year:

- September 23: Ker'sean Ramey, Texas
- September 29: Curtis Beasley, Florida
- September 30: Christa Pike, Tennessee
- October 7: Jamaal Howard, Texas
- October 13: William Thompson, Florida
- November 5: Jeffrey Weisheit, Indiana, and Michael Taylor, Alabama
- November 12: John Rubio, Texas, and James Pavatt, Oklahoma
- November 19: Reinaldo Dennes, Texas
- December 3: Gary Wayne Sutton, Tennessee

If Texas carries out its four remaining scheduled executions, it will record the most executions in the state in a single year this decade.

The cases of Lee, Norman and Humphreys underscore that who lives and who dies at the hands of the state is determined not by any consistent principle of justice but by the date of a trial, the conduct of a prosecutor, the temperament of a single juror or the interpretation of a newly passed statute. Under conditions of deepening social crisis and the Trump administration's open embrace of capital punishment, state governments that still practice capital punishment are accelerating the pace of state killing.



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