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Three on Florida death row benefit from U.S. Supreme Court ruling

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TALLAHASSEE, Fla. Three Florida death row inmates who killed as teens got a reprieve Tuesday when the U.S. Supreme Court ruled it would be unconstitutional to execute anyone who murdered before the age of 18.

An inmate who murdered a South Florida couple will be eligible for parole in a few years because he was sentenced under an old state law, a state legislator said. An inmate who fatally shot a Panhandle auto parts clerk might also be eligible for parole, according to the Attorney General's office.

The third inmate, who executed an elderly woman after a rape and robbery, will spend the rest of his life in prison.

The nation's high court ruled executing someone for a murder committed as a juvenile would violate the constitutional ban on cruel punishment. The 5-4 decision stemmed from an appeal in a death case in Missouri, one of 19 states that allowed the execution of juveniles.

In Florida, the state Supreme Court ruled in 1999 that the state constitution banned the execution of 16-year-olds. But the constitutional provision was changed in 2002, creating the possibility that murderers that age could be executed.

For the last several years, state Sen. Victor Crist has sponsored a bill to ban juvenile executions but the legislation never passed.

Crist, R-Tampa, said he was pleased by the result of the ruling but thought that the action should have been taken by lawmakers, not judges.

"I'm disappointed that the court had to be the one to act on this," Crist said. "To me, this is overstepping their authority."

Attorney General Charlie Crist, who is not related to the legislator, said he opposed having an age cutoff and believed sentences should depend on the circumstances of each crime.

"It's an unfortunate ruling," he said. "I think it ought to be left to the states."

The head of Floridians for Alternatives to the Death Penalty, a group opposed to capital punishment, called Tuesday's development a good step forward.

"Now our state will bring its law into line with international law," Abe Bonowitz said. "We no longer have Iran as a partner in the juvenile death penalty."

The three death row inmates who will have their sentences reduced to life in prison are Cleo LeCroy, James Bonifay and Nathan Ramirez.

An attorney for one of the men said he was unlikely to be let out of prison, despite being eligible for parole after serving 25 years.

"They don't parole these guys ... parole is not granted easily," said Harry Brody, Bonifay's lawyer. "It's life in prison. They are not just going to walk out."

LeCroy, now 41, was convicted of fatally shooting a newlywed couple from Miami-Dade who were camping in rural Palm Beach County south of Lake Okeechobee in January 1981.

The bodies of John and Gail Hardeman were discovered a week after they failed to return home. John Hardeman was killed by shot in the head; Gail Hardeman had been shot in the head, neck and chest.

Former Gov. Bob Martinez signed a death warrant for LeCroy in May 1990 but the state Supreme Court granted a stay of execution the following month.

Because the murders were committed in 1981, LeCroy will be eligible for parole after serving 25 years.

Defendants convicted of first-degree murder now are sentenced to either death or life in prison without the possibility of parole. But before May 1994, the options were death or life in prison with parole eligibility after 25 years.

Bonifay, now 31, was condemned for the mistaken identity shooting death of Billy Wayne Coker in Pensacola in 1991. Bonifay meant to kill Daniel Wells, a clerk at an auto parts store whom Bonifay's cousin blamed for getting him fired. But Wells called in sick and was replaced by Billy Wayne Coker, whom Bonifay shot and killed.

Bonifay was first sentenced in 1991 but that sentence was vacated and he was sentenced to death a second time in 1994.

He might also be eligible for parole, the Attorney General's office said.

Ramirez, now 27, was condemned for the murder of 71-year-old Mildred Boroski in March 1995.

Boroski, a widow, was in bed at her Pasco County home hours after her birthday party when Ramirez, then 17, and an 18-year-old friend broke in, hoping to steal gifts and money.

They tied her to her bed, killed her dog with a crowbar and looted the house. Ramirez told detectives the 18-year-old raped Boroski before the teens put her in her car, drove her to a field, forced her to get out and walk into the field and lie down.

Ramirez then shot Boroski twice in the head.

Ramirez was sentenced to death in 1996 but the Florida Supreme Court overturned both the conviction and the sentence. He was tried again in 2003 and convicted and condemned a second time.

Ramirez will remain jailed for life.
