

# Will Polk County sheriff's push for execution of death-row inmate spur trend?



'I think death-row inmates deserve appeals. ... but once the appeals process is complete, let's get on with it,' Polk County Sheriff Grady Judd said. (RED HUBER, ORLANDO SENTINEL / July 9, 2008)

By Sarah Lundy Sentinel Staff Writer

October 16, 2009

Polk County Sheriff [Grady Judd](#) wanted convicted killer Paul B. Johnson to be Florida's next death-row inmate executed.

For 28 years, Johnson has sat on death row for killing people, one of them a [Polk County](#) deputy Judd knew from high school.

So Judd took his desires to the people of Polk and to the only person in Florida who can sign a death warrant: [Gov. Charlie Crist](#).

The sheriff and his team lobbied Crist with written petitions, online petitions and a letter-writing campaign. He advertised their efforts on the Sheriff's Office [Twitter](#) and [Facebook](#) accounts.

Judd even cornered Crist at a funeral for a Tampa police officer in August. He reminded the governor that another cop killer had been sitting on death row since 1981, and justice was waiting.

The governor, Judd said, was true to his word.

Earlier this month, Crist signed a death warrant for Johnson, 60. On Nov.4, he could become the third man executed by the state this year.

"I truly think everyone deserves a fair trial. I think death-row inmates deserve appeals ... but once the appeals process is complete, let's get on with it," Judd said. "My suggestion is every police chief, sheriff and victims' family and friends ought to do the same thing."

Florida's death row holds 386 prisoners convicted of some of the state's most brutal crimes. It's not unheard-of for families of victims to push for an execution.

But this is the first time a local law-enforcement officer has taken such an active role in the lobbying process — a move some other sheriffs may consider.

It also has death-row attorneys worried that it could start a new precedent.

"There is no rhyme or reason," said veteran death-penalty lawyer and one of Johnson's attorneys, Martin McClain. "This was stunning and shocking and left me totally unprepared. I was more focused on the appeal pending in Florida Supreme Court and my other cases."

The governor's decision is also the latest example of how subjective the process of death-order selection can be. There are inmates other than Johnson who have been on death row longer. And there are others who have no more appeals left.

Johnson has an appeal pending in the Florida Supreme Court.

Some sheriffs, such as [Seminole County](#)'s Don Eslinger, want to leave the process to the courts and governor.

Others applaud Judd's imitative.

"I think the Internet [petition] idea was a splendid idea," said St. Johns County Sheriff David B.

Shoar.

Judd's actions piqued the curiosity of Highlands County Sheriff Susan Benton, who liked his idea. She plans to inquire about death-row inmates who committed their deadly crimes in Highlands to check the status of their cases. She did not say whether she would lobby the governor.

Crist's spokesman, Sterling Ivey, said several factors are considered by the governor when signing a death warrant. Before the petitions started, Johnson was already on a list of death-row cases being reviewed by the governor's general counsel.

"A petition is not going to be a single factor that causes a death warrant," Ivey said. "It may be a part of a total review of the case."

Johnson was convicted of killing three people in January 1981 after a night of doing drugs. He shot taxi driver Williams Evans twice in the head. He later shot Darrell Beasley — who had given Johnson a ride — once in the head. A girl with Beasley fled and called police.

Deputy Theron Burnham, who spotted Johnson on the side of the road, became the killer's third victim.

For years, Judd followed Johnson's case through the system. The sheriff went to high school with Burnham, and they experienced the police academy together.

"We were buddies," he said.

Judd had the Sheriff's Office attorneys call the Governor's Office or Attorney General's Office every month, asking about the case for the past two years.

"The only people who have been tortured 28 years are the victims' families and friends," Judd said.

Judd grew more and more frustrated with the process. Johnson went through two trials and racked up more than 15 appeals in 28 years, the sheriff said.

Judd agreed the justice system is flawed.

But his criticism is of some death-row attorneys who use the system to stack appeals, delaying justice for decades.

"Governor Crist is doing what he's mandated to do: carry out the order of the court," Judd said. "We appreciate that at the bottom of our heart."

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