Texas executions: the most controversial cases
Rick Perry has presided over 234 executions as governor of Texas, with Duane Buck to be put to death on Thursday. We look at some of the individuals who have died on Perry's watch
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When Republican voters at a televised presidential nomination debate last week heard that Rick Perry, the governor of Texas, had presided over 234 executions – the highest number for any governor in modern times – they cheered. They might not have been so enthusiastic had they known the details of some of the individuals who have died on Perry's watch.

The juvenile

Napoleon Beazley was 17 in April 1994 when he killed a 63-year-old businessman called John Luttig in an attempt to steal a car. He was convicted and sentenced to death aged 25.

By the time his execution was scheduled, there was fierce debate in America about the morality of executing juveniles, and the US supreme court had already indicated its intention to review the law. On the day of Beazley's death – 28 May 2002 – the state of Missouri decided to postpone the execution of another 17-year-old murderer, Christopher Simmons, arguing that there should be caution shown while waiting for the supreme court to make clear its views.

Texas, on the other hand, showed no such concern, and went ahead with putting Beazley to death despite the protestations of lawyers and human rights groups. In March 2005, the supreme court ruled – based on that same case of Simmons in Missouri – that executions of anyone under the age of 18 were cruel and unconstitutional, and banned the practice. It was too late for Beazley, however, who was one of the very last juveniles to be executed in the US.

His lawyer at the time of his death, Walter Long, says he is still haunted by the case. "This was a question of showing carefulness and fairness in the application of the law, and on those criteria Texas failed."

The mentally ill prisoner

Kelsey Patterson was diagnosed as a paranoid schizophrenic in 1981. He was involved in two non-fatal shootings, and on both occasions was deemed unfit to stand trial by dint of mental illness. Then in 1992 he shot and killed two people in Palestine, Texas. After the shootings, he went to a friend's house, stripped off all his clothes other than his socks, and stood naked in the street until police came to arrest him. This time, though psychiatrists agreed he was
schizophrenic and was under the delusion that he was being controlled through alien implants in his brain, he was deemed fit to be tried and put on death row.

In an exceptionally rare turn, the Texas Board of Pardons and Paroles, a panel appointed by the governor that is almost always hardline on executions, recommended that his death sentence be commuted to life in prison because of his mental illness. Perry chose to ignore the advice, and executed him anyway on 18 May 2004, aged 49, saying: "This defendant is a very violent individual … In the interests of justice and public safety, I am denying the defendants request for clemency."

**Two executions, one bullet**

Among Perry's record of 234 executions, one of the strangest is the case of the murder that involved just one bullet but led to the deaths of two death row inmates. It involved the case of Joseph Nichols and Willie Williams, who, on 13 October 1980, carried out a robbery at a deli in Houston in which the storeowner was murdered.

Forensics showed that the storeowner had been killed with just one bullet. In the first trial to be held, Williams was accused of having been the shooter. The prosecution presented the jury with evidence that Nichols, though armed, had run away from the shop and that Williams had gone back in and fired the fatal shot. Williams was convicted and executed in 1995.

Nichols was put on trial separately after Williams. He had two trials, the first being set aside as the jury could not agree on a sentence. In his second trial, the prosecution alleged that Nichols, not Williams, was the man who fired the fatal shot.

Jim Marcus, a professor at the University of Texas law school who acted as a legal consultant to Nichols's defence team, said he was astonished by the behaviour of the prosecutors. "What seems to me repugnant about what happened is that the prosecutors' duty was to seek justice and the truth. There was no way that both these guys did the killing. So the prosecution was not telling the truth in one or other case."

Nichols was executed by lethal injection on 7 March 2007, aged 45.

**The woman prisoner**

Perry has the distinction of having presided over the first execution of a black woman in Texas since the reconstruction period after the civil war. Frances Newton was put to death on 14 September 2005, aged 40, for the murder of her husband Adrian and two children Alton and Farrah.

In this case, Perry did grant a 120-day reprieve to allow defence lawyers to do further forensic analysis. But nonetheless serious doubts remained about the accuracy of the conviction.

David Dow, a professor at the University of Houston Law Center who represented Newton at the end, said he still harbours doubts. There was no evidence of blood or DNA on Newton or her
clothes after the killings, which was odd, because the shootings had happened at close range, and would normally have been expected to lead to splattering over the person wielding the gun.

There were also suggestions that police may have confused the gun they said they had retrieved from Newton, and that there may have been a second gun. Dow continues to believe that this might have been a case of murder-suicide, and that Newton went to her death an innocent woman.

The suicidal child killer

On 20 February 2002, a discharged soldier, Tim Nichols, decided in despair to kill his son and then himself in a murder-suicide. His marriage was collapsing, and he felt distraught and hopeless. He killed his son, then 19 months old, but before he could kill himself he was talked out of it by friends and family in the course of a two-hour standoff with police.

From then on, Nichols showed remorse and took full responsibility for his actions, pleading guilty and never making any attempt to deny or belittle what he had done. He had never been in trouble with the law before he killed his son, and was never in trouble while in prison, where he sought forgiveness for his actions in Christianity.

His own family, after initial bewilderment, came to support him in his battle to have his sentence commuted to life in prison. In his clemency petition, his mother Wilma said: "Our family has already suffered a loss by losing TJ. That was my grandson. Losing Tim would be another huge loss to this family."

Her plea was ignored and Nichols went to his death on 22 February, aged 42.

'I am an innocent man'

Cameron Todd Willingham was executed, aged 35, on 17 February 2004 for the murder of his three young children, Amber aged two, and one-year-old twins Karmon and Kameron. There had been a fire at his house in Corsicana, Texas in December 1991, and he was accused of arson.

Serious doubts about the scientific evidence that the house had been deliberately burnt down began to emerge before Willingham's trial, at which he refused to plead guilty for something he said he did not do, even though he knew that could subject him to the death penalty.

Before he was given the lethal injection, he said: "The only statement I want to make is that I am an innocent man convicted of a crime I did not commit".

After his death, the scientific doubts continued to grow, and were highlighted in a groundbreaking New Yorker article.

The outcry became so intense that the Texas legislature ordered an inquiry from the state's forensic science commission, which concluded in 2009 that the findings of the fire marshal on which Willingham was found guilty "are nothing more than a collection of personal beliefs that
have nothing to do with science-based fire investigation". The report said that "a finding of arson could not be sustained".

Two days before the author of the report, Craig Beyler, a reputable fire expert, was scheduled to present his findings to the Texas science commission. Perry abruptly changed the composition of the commission and the meeting was cancelled.