

# APPENDIX C

### Data Regarding Executions Since January 1, 2016

BASIS FOR EXECUTION	TOTAL	PERCENTAGE
Total executions	153	
Executions not based on non-unanimous jury or statute mandating judge sentencing or waiver	131	85.62% of total executions
Executions based on non-unanimous jury or statute mandating judge sentencing or waiver	22	14.38% of total executions
Executions based on non-unanimous jury or mandatory judge sentencing excluding Alabama and Florida	2	1.50% of total executions excluding Alabama and Florida (2 of 133); 9.1% of executions based on non-unanimous juries (2 of 22)
Executions based on non-unanimous jury in Alabama and Florida	20	90.90% of executions based on non-unanimous juries (20 of 22); 71.43% of executions in Alabama and Florida (20 of 28)

### All Executions since January 1, 2016<sup>1</sup>

YEAR	DEFENDANT	STATE	UNANIMOUS JURY STATUTE	BASIS FOR SENTENCE
2023	James Barnes	FL	N	jury waiver <sup>2</sup>
2023	Johnny Johnson	MO	N	12-0 jury vote <sup>3</sup>
2023	James Barber	AL	N	11-1 <sup>4</sup>
2023	Jemaine Cannon	OK	Y	
2023	Duane Owen	FL	N	10-2 <sup>5</sup>
2023	Michael Tisius	MO	N	12-0 jury vote <sup>6</sup>
2023	Darryl Barwick	FL	N	9-3 <sup>7</sup>
2023	Louis Gaskin	FL	N	8-4 <sup>8</sup>
2023	Arthur Brown, Jr.	TX	Y	
2023	Gary Green	TX	Y	

<sup>1</sup> Data collected from Death Penalty Information Center, Execution Database (available at: <https://deathpenaltyinfo.org/executions/execution-database>).

<sup>2</sup> *Barnes v. State*, 29 So.3d 1010 (Fla. 2010).

<sup>3</sup> *Johnson v. State*, 207 S.W.3d 24 (Mo. 2006).

<sup>4</sup> *Barber v. State*, 952 So. 2d 393 (Ala. Crim. App. 2005).

<sup>5</sup> *Owen v. State*, 862 So. 2d 687 (Fla. 2003).

<sup>6</sup> *Tisius v. State*, 92 S.W.3d 751 (Mo. 2002).

<sup>7</sup> *Barwick v. State*, 660 So. 2d 685 (Fla. 1995).

<sup>8</sup> *Gaskin v. State*, 615 So. 2d 679 (Fla. 1993).

2023	Donald Dillbeck	FL	N	8-4 <sup>9</sup>
2023	John Balentine	TX	Y	
2023	Leonard Taylor	MO	N	12-0 jury vote <sup>10</sup>
2023	Wesley Ruiz	TX	Y	
2023	Scott Eizember	OK	Y	
2023	Robert Fratta	TX	Y	
2023	Amber McLaughlin	MO	N	Jury deadlock, judge-imposed sentence <sup>11</sup>
2022	Thomas Loden	MS	Y	
2022	Kevin Johnson	MO	N	12-0 jury vote <sup>12</sup>
2022	Richard Fairchild	OK	Y	
2022	Murray Hooper	AZ	Y	
2022	Stephen Barbee	TX	Y	
2022	Tracy Beatty	TX	Y	
2022	Benjamin Cole	OK	Y	
2022	John Ramirez	TX	Y	
2022	James Coddington	OK	Y	
2022	Kosoul Chanthakoummane	TX	Y	
2022	Joe James Jr.	AL	N	12-0 jury vote <sup>13</sup>
2022	Frank Atwood	AZ	Y	
2022	Clarence Dixon	AZ	Y	
2022	Carman Deck	MO	N	12-0 jury vote <sup>14</sup>
2022	Carl Buntion	TX	Y	
2022	Gilbert Postelle	OK	Y	
2022	Donald Grant	OK	Y	
2022	Matthew Reeves	AL	N	10-2 jury vote <sup>15</sup>
2021	Lisa Montgomery	FED	Y	
2021	Corey Johnson	FED	Y	
2021	Dustin Higgs	FED	Y	
2021	Quintin Jones	TX	Y	
2021	John Hummel	TX	Y	
2021	Rick Rhoades	TX	Y	
2021	Ernest Johnson	MO	N	12-0 jury vote <sup>16</sup>
2021	Willie Smith III	AL	N	10-2 jury vote <sup>17</sup>

<sup>9</sup> *Donald Dillbeck*, 643 So. 2d 1007 (Fla. 1994).

<sup>10</sup> *State v. Taylor*, 298 S.W.3d 482, 489 (Mo. 2009).

<sup>11</sup> *McLaughlin v. State*, 378 S.W.3d 328, 336 (Mo. 2012).

<sup>12</sup> *State v. Johnson*, 284 S.W.3d 561, 567 (Mo. 2009).

<sup>13</sup> *Ex parte James*, 61 So. 3d 352, 353 (Ala. 2009).

<sup>14</sup> *State v. Deck*, 303 S.W.3d 527, 533 (Mo. 2010).

<sup>15</sup> *Reeves v. State*, 226 So. 3d 711, 718 (Ala. Crim. App. 2016).

<sup>16</sup> *State v. Johnson*, 244 S.W.3d 144, 149 (Mo. 2008).

<sup>17</sup> *Smith v. State*, 838 So. 2d 413, 421 (Ala. Crim. App. 2002).

2021	John Grant	OK	Y	
2021	David Cox Sr.	MS	Y	
2021	Bigler Stouffer Jr.	OK	Y	
2020	John Gardner	TX	Y	
2020	Donnie Lance	GA	Y	
2020	Abel Ochoa	TX	Y	
2020	Nicholas Sutton	TN	Y	
2020	Nathaniel Woods	AL	N	10-2 jury vote <sup>18</sup>
2020	Walter Barton	MO	N	12-0 jury vote <sup>19</sup>
2020	Billy Wardlow	TX	Y	
2020	Daniel Lee	FED	Y	
2020	Wesley Purkey	FED	Y	
2020	Dustin Honken	FED	Y	
2020	Lezmond Mitchell	FED	Y	
2020	Keith Nelson	FED	Y	
2020	William LeCroy Jr.	FED	Y	
2020	Christopher Vialva	FED	Y	
2020	Orlando Hall	FED	Y	
2020	Brandon Bernard	FED	Y	
2020	Alfred Bourgeois	FED	Y	
2019	Travis Runnels	TX	Y	
2019	Lee Hall	TN	Y	
2019	Ray Cromartie	GA	Y	
2019	Justen Hall	TX	Y	
2019	Charles Rhines	SD	Y	
2019	Russell Bucklew	MO	N	12-0 jury vote <sup>20</sup>
2019	Robert Sparks	TX	Y	
2019	Mark Soliz	TX	Y	
2019	Billy Crutsinger	TX	Y	
2019	Gary Bowles	FL	N	12-0 jury vote <sup>21</sup>
2019	Larry Swearingen	TX	Y	
2019	Stephen West	TN	Y	
2019	Marion Wilson Jr.	GA	Y	
2019	Christopher Price	AL	N	10-2 jury vote <sup>22</sup>
2019	Bobby Joe Long	FL	N	12-0 jury vote <sup>23</sup>
2019	Michael Samra	AL	N	12-0 jury vote <sup>24</sup>
2019	Donnie Johnson	TN	Y	

<sup>18</sup> *Woods v. State*, 13 So. 3d 1, 5 (Ala. Crim. App. 2007).

<sup>19</sup> *State v. Barton*, 240 S.W.3d 693, 700 (Mo. 2007).

<sup>20</sup> *State v. Bucklew*, 973 S.W.2d 83, 86 (Mo. 1998).

<sup>21</sup> *Bowles v. State*, 276 So. 3d 791, 793 (Fla. 2019).

<sup>22</sup> *Ex parte Price*, 725 So. 2d 1063, 1065 (Ala. 1998).

<sup>23</sup> *Long v. State*, 271 So. 3d 938, 940 (Fla. 2019).

<sup>24</sup> *Samra v. State*, 771 So. 2d 1108, 1111 (Ala. Crim. App. 1999).

2019	Scotty Morrow	GA	Y	
2019	John King	TX	Y	
2019	Billie Coble	TX	Y	
2019	Domineque Ray	AL	N	11-1 jury vote <sup>25</sup>
2019	Robert Jennings	TX	Y	
2018	Jose Jimenez	FL	N	12-0 jury vote <sup>26</sup>
2018	Alvin Braziel Jr.	TX	Y	
2018	David Miller	TN	Y	
2018	Joseph Garcia	TX	Y	
2018	Roberto Ramos	TX	Y	
2018	Edmund Zagorski	TN	Y	
2018	Rodney Berget	SD	Y	
2018	Daniel Acker	TX	Y	
2018	Troy Clark	TX	Y	
2018	Carey Moore	NE	N	Sentenced by panel of judges <sup>27</sup>
2018	Billy Irick	TN	Y	
2018	Robert Van Hook	OH	Y	
2018	Christopher Young	TX	Y	
2018	Danny Bible	TX	Y	
2018	Juan Castillo	TX	Y	
2018	Robert Butts Jr.	GA	Y	
2018	Erick Davila	TX	Y	
2018	Walter Moody Jr.	AL	N	11-1 jury vote <sup>28</sup>
2018	Rosendo Rodriguez	TX	Y	
2018	Michael Eggers	AL	N	11-1 jury vote <sup>29</sup>
2018	Carlton Gary	GA	Y	
2018	Eric Branch	FL	N	10-2 jury vote <sup>30</sup>
2018	John Battaglia	TX	Y	
2018	William Rayford	TX	Y	
2018	Anthony Shore	TX	Y	
2017	Patrick Hannon	FL	N	12-0 jury vote <sup>31</sup>
2017	Ruben Cardenas	TX	Y	
2017	Torrey McNabb	AL	N	10-2 jury vote <sup>32</sup>
2017	Robert Pruett	TX	Y	

<sup>25</sup> *Ray v. State*, 80 So. 3d 965, 969 (Ala. Crim. App. 2011).

<sup>26</sup> *Jimenez v. State*, 265 So. 3d 462, 469 (Fla. 2018).

<sup>27</sup> *State v. Moore*, 272 Neb. 71, 73 (2006).

<sup>28</sup> *Moody v. State*, 888 So. 2d 532, 540 (Ala. Crim. App. 2003).

<sup>29</sup> *Eggers v. State*, 914 So. 2d 883, 888 (Ala. Crim. App. 2004).

<sup>30</sup> *Branch v. State*, 236 So. 3d 981, 983 (Fla. 2018).

<sup>31</sup> *Hannon v. State*, 228 So. 3d 505, 507 (Fla. 2017).

<sup>32</sup> *McNabb v. State*, 887 So. 2d 929, 939 (Ala. Crim. App. 2001).

2017	Michael Lambrix	FL	N	8-4 and 10-2 jury votes <sup>33</sup>
2017	Gary Otte	OH	Y	
2017	Mark Asay	FL	N	9-3 jury vote <sup>34</sup>
2017	TaiChin Preyor	TX	Y	
2017	Ronald Phillips	OH	Y	
2017	William Morva	VA	Y	
2017	Robert Melson	AL	N	10-2 jury vote <sup>35</sup>
2017	Thomas Arthur	AL	N	11-1 jury vote <sup>36</sup>
2017	J.W. Ledford Jr.	GA	Y	
2017	Kenneth Williams	AR	Y	
2017	Jack Jones Jr.	AR	Y	
2017	Marcel Williams	AR	Y	
2017	Ledell Lee	AR	Y	
2017	James Bigby	TX	Y	
2017	Rolando Ruiz	TX	Y	
2017	Mark Christeson	MO	N	12-0 jury vote <sup>37</sup>
2017	Terry Edwards	TX	Y	
2017	Ricky Gray	VA	Y	
2017	Christopher Wilkins	TX	Y	
2016	Ronald Smith Jr.	AL	N	5-7 jury vote, judge override <sup>38</sup>
2016	William Sallie	GA	Y	
2016	Steven Spears	GA	Y	
2016	Gregory Lawler	GA	Y	
2016	Barney Fuller Jr.	TX	Y	
2016	John Conner	GA	Y	
2016	Earl Forrest	MO	N	12-0 jury vote <sup>39</sup>
2016	Daniel Lucas	GA	Y	
2016	Kenneth Fults	GA	Y	
2016	Pablo Vasquez	TX	Y	
2016	Joshua Bishop	GA	Y	
2016	Adam Ward	TX	Y	
2016	Coy Westbrook	TX	Y	
2016	Travis Hittson	GA	Y	
2016	Gustavo Garcia	TX	Y	
2016	Brandon Jones	GA	Y	

<sup>33</sup> *Lambrix v. State*, 217 So. 3d 977, 990 (Fla. 2017) (Pariante, J., concurring).

<sup>34</sup> *Asay v. State*, 210 So. 3d 1, 7 (Fla. 2016).

<sup>35</sup> *Melson v. State*, 775 So. 2d 857, 863 (Ala. Crim. App. 1999).

<sup>36</sup> *Ex parte Arthur*, 711 So. 2d 1097, 1098 (Ala. 1997).

<sup>37</sup> *State v. Christeson*, 50 S.W.3d 251, 260 (Mo. 2001).

<sup>38</sup> *Smith v. State*, 756 So. 2d 892, 904 (Ala. Crim. App. 1997).

<sup>39</sup> *State v. Forrest*, 183 S.W.3d 218, 223 (Mo. 2006).

2016	James Freeman	TX	Y	
2016	Christopher Brooks	AL	N	11-1 jury vote <sup>40</sup>
2016	Richard Masterson	TX	Y	
2016	Oscar Bolin Jr.	FL	N	jury waiver <sup>41</sup>

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<sup>40</sup> *Brooks v. State*, 929 So. 2d 491, 494 (Ala. Crim. App. 2005).

<sup>41</sup> *Bolin v. State*, 869 So. 2d 1196, 1199 (Fla. 2004).