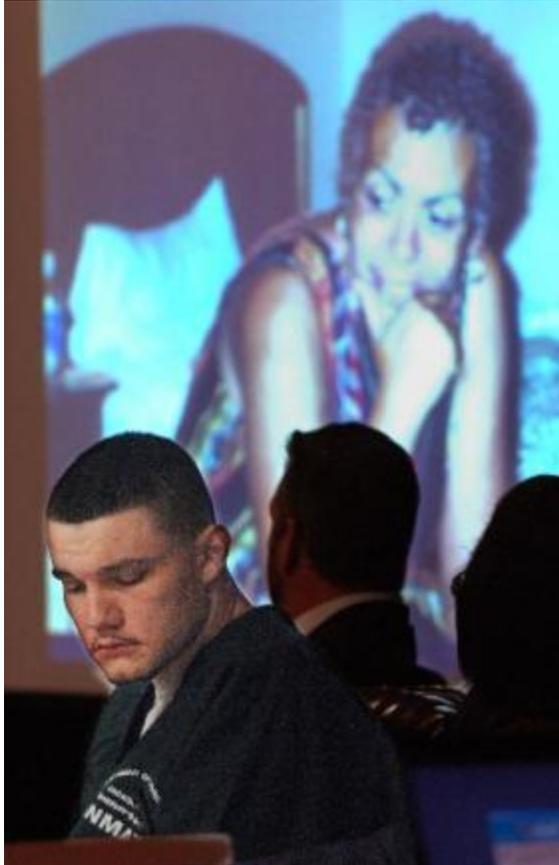


Jacksonville jury wants death penalty for woman's slaying

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JOHN PEMBERTON/The Times-Union
Deviney with Futrell in the background.

By [Paul Pinkham](#)

Delores Futrell was so kind to Randall Deviney when he was growing up in her Jacksonville neighborhood that he called her his godmother.

Futrell would counsel him, bake for him and let him earn spending money by doing yard work outside her Westside home.

That's why it was so shocking to those who knew and loved Futrell when Deviney beat, stabbed and slit Futrell's throat in August 2008.

Thursday, a jury recommended that Deviney, 20, be executed for the 2008 murder of Futrell, his 65-year-old disabled neighbor. Circuit Judge Mallory Cooper will make the decision, but typically judges follow the jury's recommendation, which was 10-2 for death in this case.

"This was the classic case of why we need the death penalty," said Assistant State Attorney Bernie de la Rionda. "It's horrific. An innocent elderly lady is savagely murdered in her home. What other sentence could there be?"

Deviney listened intently as Cooper read the jury's recommendation. His father – himself a convicted murderer -- sat stoically in the courtroom and didn't comment afterward.

Across the aisle, Futrell's daughters and sister rejoiced in justice after 18 months of legal maneuvering.

"We've waited for this day. We've prayed for this outcome. It's what my sister would have wanted," said Debra Wright, the victim's sister. "My sister's gotten justice."

It was the second death recommendation by a Jacksonville jury in as many weeks. Last week, a jury recommended 8-4 that Rasheem Dubose, 25, die for murdering 8-year-old DreShawna Davis in 2006.

Cooper scheduled a hearing April 16 for Deviney's public defenders to try to convince her not to follow the jury's recommendation. The hearing is required in Florida.

In closing arguments Thursday, Assistant Public Defender Melina Buncome-Williams told jurors Deviney didn't deserve the death penalty because the murder was mitigated by his age, deprived childhood, emotional state and remorse. She said he snapped when Futrell asked him about his childhood the night of the murder.

"Killing the light of redemption in that boy will kill some of the life out of all of us," she told jurors.

Buncome-Williams cited testimony from earlier Thursday by Deviney's parents about their own Arkansas murder convictions and the years of domestic violence, abuse and drug use that plagued the family before their 1996 divorce. Michael Deviney and Nancy Mullins testified they each were paroled after serving five years of 20-year sentences for murdering their 16-month-old son in 1984, before Randall Deviney was born.

Michael Deviney also told jurors about his five marriages, violence against other wives and 2001 conviction for abusing Randall Deviney and his younger brother. Buncome-Williams said her client suffered abandonment, lack of support and torn relationships his whole life.

"With his family, he never had a chance," she argued.

But de la Rionda said the murder of Futrell was so wicked that Deviney deserves the ultimate penalty. Showing jurors gruesome autopsy photos, de la Rionda reminded them that Deviney

beat his neighbor before slitting her throat with a fish filleting knife and stabbing her further when she didn't die right away.

"Think of the facts in this case. Think of what he did," de la Rionda urged jurors. "Why did he do that to her? ... This is as evil as you can get."

Further aggravating the murder, de la Rionda said, was Futrell's vulnerability, which Deviney knew about and exploited. The woman suffered from multiple sclerosis, which affected her balance, strength and stamina, her family testified.

"He picked the easiest prey," the prosecutor said.

Earlier, Futrell's daughters and sister told jurors she was a confidante, a friend and a wise counselor, a gregarious, outspoken woman who refused to let her illness beat her.

"I am left with a hole in my heart," said her daughter, Helen Futrell-Stewart.

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