

Jury decides Rasheem Dubose should die for killing DreShawna Davis

Panel takes about an hour to reach 8-4 vote for execution; his lawyers will argue for life sentence instead.

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DON BURK/The Times-Union

Rasheem Dubose is escorted out of the courtroom after a jury recommended the death penalty.

By [Paul Pinkham](#)

For a few minutes after a Jacksonville jury recommended Thursday night that he be executed for murdering 8-year-old DreShawna Davis, Rasheem Dubose just stood at the defense table, a blank expression on his face.

But inside, he apparently was seething. As the judge polled the jury, Dubose kicked his chair across the courtroom. Bailiffs quickly handcuffed him and led him to a holding cell.

Emotions were just as intense in the courtroom after four years of litigation, a two-week mistrial and three more weeks of trial resulting in the death sentence recommendation for Dubose and life sentences for his two younger brothers. Their family and friends wept openly, his sister and his girlfriend inconsolable as they left the courthouse.

Neither they nor Dubose, 25, would comment.

Across the aisle, DreShawna's grandmothers said the recommendation brings justice for the little girl and closure for her family.

"She was truly an angel from heaven that was sent to me for those eight years. Her life was cut short," said maternal grandmother Vonnie Frazier. "I don't hate those boys. I just hate the choice that they made."

The jury deliberated about an hour before returning with an 8-4 recommendation for death. Florida judges typically follow jury sentencing recommendations, which don't have to be unanimous.

Circuit Judge L. Page Haddock scheduled an intermediary hearing April 23, which is required by law to give Dubose's lawyers an opportunity to convince the judge a life sentence is warranted. He told Dubose after his courtroom outburst that he understood emotions were running high.

"You don't owe me any apologies. It's a hard thing for you to hear, I'm sure," the judge said.

Dubose's attorney, Richard Kuritz, said he was extremely disappointed in the recommendation but remains hopeful for a life sentence after the April hearing.

But Assistant State Attorney London Kite said jurors spoke for the community with their decision.

"Their recommendation really points to the fact that we're not going to put up with this kind of violence anymore," Kite said. "If you choose to pick up a gun, you're going to be prosecuted to the fullest extent of the law."

Kite said she knew the case was serious from the day she walked into Frazier's Riverview house in 2006 and realized an 8-year-old girl had died over "something so trivial." Dubose and his brothers Tajuane and Terrell fired 29 shots at the house about an hour after DreShawna's uncle, Willie Davis, tried to rob Rasheem Dubose and forced him at gunpoint to drop his pants in public.

A separate jury heard Tajuane and Terrell Dubose's murder cases and recommended life sentences, which Haddock followed. Prosecutors always contended Rasheem Dubose was the most culpable, firing 23 of the shots, including the one that pierced DreShawna's heart as she tried to shield her two younger cousins from the gunfire.

The murder galvanized city leaders to address Jacksonville's state-leading homicide rate.

In closing arguments Thursday, defense attorney Shelley Eckels reminded jurors of Rasheem Dubose's troubled upbringing, low intelligence and remorseful attitude in asking for a life sentence recommendation. The Dubose brothers grew up in a violent neighborhood and had an abusive father, described by their sister as "an animal."

Eckels asked the jury not to judge her client by one hour of his life and said he never meant to kill a child.

"You've seen his life, not just the one hour," she said. "You've seen that he's not a bad person, and his life is worth sparing."

But Kite said Dubose deserved the ultimate penalty for an unforgettable crime. She told jurors the murder was aggravated by DreShawna's tender age, the risk of death to many people,

Dubose's prior arrest for resisting arrest with violence and the jury's determination that he and his brothers burglarized Frazier's property to commit the crime.

Kite criticized the testimony of "handsomely paid defense experts" who told jurors about Dubose's low IQ and the effects of his difficult childhood. He made a choice to kill, Kite said.

"It is a murder that cannot be excused," she said. "It is a murder that cannot be explained away.

"It is a murder that will never be forgotten."

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