

`Lollipops' mom facing Death Row

The first woman sent to Florida Death Row for killing her own child may be headed back there after a Miami-Dade jury recommended execution.

BY DAVID OVALLE

dovalle@MiamiHerald.com

For the second time, a jury has declared Ana Maria Cardona should be executed for starving, torturing and beating her toddler son known as ``Baby Lollipops."

By a vote of 7-5, jurors on Thursday recommended the death penalty for Cardona, who was convicted in July of murdering Lazaro Figueroa, whose badly beaten body was discovered in the bushes of a Miami Beach home in November 1990.

After the jurors filed out of the courtroom, Cardona's clenched jaws gave way to sobbing as she threw her arms tightly around defense attorney Teresa Enriquez.

Cardona, 49, will be the second woman currently on Florida Death Row if Miami-Dade Circuit Judge Reemberto Diaz follows the jury's recommendation -- and judges usually follow jurors' decisions.

``This was an incredible task and a victory for that beautiful little Lazaro, who suffered living such a horrible existence," said Miami-Dade State Attorney Katherine Fernández Rundle, who as a prosecutor presented the case to a grand jury for indictment in 1991.

It would be Cardona's second trip to Death Row. Back in 1992, jurors convicted Cardona, and she was sentenced to execution, the first woman in Florida to be sent to Death Row for murdering her own child.

Sixteen women have received the death penalty in the state's history. Only two have actually been executed. The others have either had their sentences commuted or been released.

In Cardona's case, the Florida Supreme Court overturned the conviction and a new trial was granted. She was convicted a second time this July of murdering the toddler.

Unable at first to identify him, police dubbed the child ``Baby Lollipops" for the candy design on his T-shirt.

Detectives later arrested Cardona, who had fled with her two children, and her lover, Olivia Gonzalez, to the Orlando area.

Cardona gave conflicting accounts of the toddler's final days, including a tale that he had hit his head on a bed and they dumped his body hoping a wealthy person would find him and nurse him back to health.

At the original trial, Gonzalez was the prosecution's key witness -- she testified that Cardona hated the boy, and for months beat and starved the child, finally inflicting a fatal blow with a baseball bat.

Cardona blamed Gonzalez and her own cocaine habit for failing to stop her lover's child abuse. Jurors convicted Cardona and, by an 8-4 vote, recommended a death sentence.

Gonzalez pleaded guilty to second-degree murder and was sentenced to 40 years in prison. Under old sentencing rules, Gonzalez served only 19 years and because of good behavior is now free.

In 2002, a sharply divided Florida Supreme Court tossed out Cardona's conviction, saying prosecutors failed to reveal reports chronicling interviews with Gonzalez in which she gave conflicting accounts of the child's death.

At this year's trial, prosecutors did not call Gonzalez as a witness, but instead relied on Cardona's own tape recorded statement to police, and medical evidence showing Lazaro's extensive injuries.

For the defense, Cardona's attorneys suggested the real culprit might have been a 14-year-old mentally challenged Miami Beach girl who confessed to the crime, then recanted, during the police investigation. Investigators discounted the girl, believing she was fed intimate details of the crime by an overzealous state child welfare worker.

During testimony last week in the penalty phase, prosecutors Susan Dannelly and Kathleen Pautler needed to show the "heinous, atrocious and cruel" nature of the crime. Again, they relied on the photos and medical testimony depicting the shocking condition of Lazaro's corpse.

Extremely malnourished, Lazaro weighed only 18 pounds, about half what he should have for his age. Beatings had torn away the tissue between his lips and gums, making eating, drinking and talking painful.

His left arm was permanently bent at a 90-degree angle. His head had been bashed repeatedly and his diaper, soiled and held together with duct tape, had caused an infection.

"This is child torture, in my opinion," Medical Examiner Bruce Hyma testified last week.

Lazaro even had pressure sores on his back and head, and deep ligature marks in-between his toes -- showing he had been restrained in the closet of their Miami home, Dannelly told jurors Thursday.

``This is about the torturous nature of his life and his injuries. About how he spent his days, from the time he woke up in his morning to the time he fell asleep with that pain," Dannelly said. ``It's about what that child went through."

Assistant public defenders Enriquez, Edith Georgi and Liesbeth Boots portrayed Cardona as scarred from an unloving and abusive childhood in Cuba.

They called numerous inmates and Miami-Dade corrections officers to say how Cardona has turned into a model inmate, role model and deeply devout Christian.

Defense attorneys also called Cardona's children, Juan Puente, 29, who is in jail, and her daughter, Taimy Cardona, 25, a college graduate.

They talked about their attempts to bond with their imprisoned mother.

``Don't have Juan and Taimy victimized by another death in the family," Georgi said.

Jurors deliberated less than two hours before reaching their recommendation.