

Death sentence for Emilia Carr



Bruce Ackerman/Staff photographer

Emilia Carr, left, was sentenced to death Tuesday for a murder near McIntosh.

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Emilia Carr became only the second woman currently on Florida's death row on Tuesday after she was given the state's highest punishment for her role in the kidnapping and murder of a Citra woman nearly two years ago.

The imposition of the death penalty by Circuit Judge Willard Pope — his first — came two months after a jury recommended, by a 7-5 vote, that Carr, 26, receive death for the 2009 crime.

“This court is compelled to conclude that the actions of Emilia Carr in this case, and the manner, means, and circumstances by which those actions were taken, requires the imposition of the ultimate penalty,” Pope read aloud from his 29-page order during a nearly hour-long proceeding attended mostly by law enforcement and representatives from the State Attorney’s Office.

Carr, who was sentenced to death for first-degree murder and to a consecutive term of life in prison on the kidnapping count, looked resigned upon the announcement. She then read a brief statement to the court in which she said she was “convicted of telling a lie.”

Her sentence is subject to an automatic review by the Florida Supreme Court.

Pope assigned great weight to three aggravating circumstances: that the murder of Heather Strong, 26, was committed during the commission of the separate felony offense of kidnapping; that it was especially heinous, atrocious and cruel; and that it was cold, calculated and premeditated.

The only statutory mitigator to which he assigned great weight was Carr’s lack of criminal history. He gave other such non-statutory mitigators — such as her disadvantaged upbringing, sexual abuse by her father and the alleged dominant role of her co-defendant in the crime — little to no weight.

He said there was “no evidence” Carr was manipulated by Joshua Fulgham, her then-boyfriend, and that testimony from a clinical psychologist proved she’s “in control of her own faculties.”

Pope only assigned some weight to the 7-5 recommendation from Dec. 10, pointing out that, by statute, even this slim majority is sufficient to lead to imposition of the death penalty, particularly in a case with such “overwhelming evidence.”

“May God have mercy on your soul,” he told Carr at the conclusion of the hearing.

Fulgham, 29, appeared in court himself before Carr’s sentencing for a brief status hearing. The father of Strong’s children, and also her estranged husband, Fulgham is awaiting his own trial on the same charges. His trial, in which the state will also seek a death sentence, likely will be pushed back until later this year due to attorney complications.

The co-defendants, who were dating at the time and have a child together, are accused of having lured Strong into a storage trailer behind Carr’s mother’s home in Boardman, near McIntosh, then duct-taping her down to a chair before suffocating her by placing a plastic bag over her head.

Strong’s body was placed in a shallow grave and unearthed a month later in March 2009.

The three people were involved in a quasi love triangle, with Fulgham upset about Strong's intentions to move back to Mississippi with their two children. The couple had reconciled in December 2008, causing Fulgham to kick Carr out of the house.

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