

Summary of Jury Overrides¹

Total Number of Jury Overrides: 166

Affirmed Jury Overrides: 43 of 166 (26%)

Affirmed Jury Overrides on Death Row: 8 of 43 (19%)

Affirmed Jury Overrides NOT on Death Row: 31 of 43 (72%)

Affirmed Jury Overrides Executed: 4 of 43 (9%)

Total Remanded for Life: 92 of 166 (55%)

Total Remanded for Re-trial: 16 of 166 (10%)

Total Remanded for Re-sentencing: 8 of 166 (5%)

Conclusion:

Affirmed Jury Overrides: 43 of 166 (26%)

Executed: 4 of 43 (9%) OR 4 of 166 (2%)

On Death Row: 8 of 43 (19%) OR 8 of 166 (5%)

Not on Death Row: 31 of 43 (72%) OR 31 of 166 (19%)

Of the 166 jury overrides from 1974 – 2002, 43 (26%) were affirmed by the Florida Supreme Court. Of those 43, 4 (9%) were executed, 8 (19%) are currently on death row, and 31 (72%) are not on death row. In total, 12 of 166 jury overrides (7%) have either been executed or are currently on death row.

¹ Special thanks to Dr. Michael L. Radelet from the University of Colorado at Boulder and Paula Bernstein from the Death Penalty Information Center for their original data that made this project possible.

Total Number of Jury Overrides: 166

Affirmed Jury Overrides: 43 of 166 (26%)

Affirmed Jury Overrides on Death Row: 8 of 166 (5%)

Coleman, Michael
Groover, Tommy
Marshall, Matthew
Robinson, Timothy
Washington, Anthony
Zakrzewski, Edward
Zeigler, William x 2

Affirmed Jury Overrides NOT on Death Row: 31 of 166 (19%)

Barclay, Elwood x 2
Brown, Larry
Buford, Robert
Burr, Charlie
Douglas, Howard
Echols, Robert
Engle, Gregory
Eutzy, William
Francis, Bobby
Garcia, Henry
Gardner, Daniel
Gorham, David
Heiney, Robert
Hoy, Darrell
Johnson, Marvin
Lusk, Bobby
McCrae, James
Miller, Ernest
Mills, Gregory
Neary, Jack
Parker, Robert
Porter, Raleigh
Routly, Dan
Sawyer, Anthony
Spaziano, Joseph
Stevens, Rufus
Thomas, Edward
Thompson, Raymond
Torres-Arboledo, Oscar
Williams, Ronald

Affirmed Jury Overrides Executed: 4 of 166 (2%)

White, Beauford (08/28/87)
Bolender, Bernard (07/18/95)
Dobbert, Ernest x 2(09/07/84)

Total Remanded for Life: 92 of 166 (55%)

Total Remanded for Life for Tedder reasons: 89 of 92 (97%)

Total Remanded for Life for other reasons: 3 of 92 (3%)

Total Remanded for Re-trial: 16 of 166 (10%)

Total Remanded for Re-sentencing: 8 of 166 (5%)

Total Remanded with Mixed Orders: 2 of 166 (1%)

(one count remanded for life and one count remanded for re-sentencing)

Total Released On Direct Appeal: 1 of 166 (0.6%)

Total with no Florida Supreme Court Opinion: 4 of 166 (2%)

(highlighted in yellow on data spreadsheet)

Jury Overrides

Last Name	First Name	Sentence Date	FSC Opinion Date	FSC Citation	FSC Case#	FSC Disposition	Reason for Remand	Explanations for Reason for Remand
Taylor	Joseph	07/27/73	05/15/74	294 So.2d 648	44343	Life	Pre-Tedder and others	failure to consider mitigating circumstances & pre-Tedder
Jones	Jimmy	09/28/73	05/12/76	332 So.2d 615	44669	Life	Pre-Tedder	
Sawyer	Anthony	10/15/73	02/19/75	313 So.2d 680	44709	Affirmed	N/A	
Douglas	Howard	12/04/73	02/18/76	328 So.2d 18	44864	Affirmed	N/A	
McCaskill	James	12/06/73	04/07/77	344 So.2d 1276	45009	Life	Pre-Tedder	
Williams	Otis	12/06/73	04/07/77	344 So.2d 1276	45010	Life	Pre-Tedder	
Thompson	Larry	01/11/74	01/21/76	328 So.2d 1	45107	Life	Pre-Tedder	
Gardner	Daniel	01/30/74	02/26/75	313 So.2d 675	45106	Affirmed	N/A	
Swan	Lloyd	03/01/74	09/03/75	322 So.2d 485	45452	Life	Pre-Tedder and others	insufficient evidence of aggravating circumstances & pre-Tedder
Burch	Jackson	03/29/74	03/10/77	343 So.2d 831	45359	Life	Tedder	
Slater	Darius	04/04/74	06/25/75	316 So.2d 539	46338	Life	Other issues	Sentencing Issues: differential sentencing to that of accomplice
Dobbert	Ernest	04/12/74	01/14/76	328 So.2d 433	45558	Affirmed	N/A	
McCrae	James	05/21/74	04/09/81	395 So.2d 1145	45894	Affirmed	N/A	
Tedder	Mack	07/25/74	11/19/75	322 So.2d 908	46267	Life	Tedder	
Carnes	Walter	11/19/74	07/16/75	316 So.2d 292		Dismissed	N/A	
Provence	Michael	11/22/74	07/21/76	337 So.2d 783	46671	Life	Tedder and others	Court considered arrests as aggravating factors and Tedder
Barclay	Elwood	04/10/75	03/17/77	343 So.2d 1266	47260	Affirmed	N/A	
Barclay	Elwood	04/10/75	09/07/78	362 So.2d 657	47260	Resentence	Other issues	Sentencing Issues: improper sentencing procedure
Buckrem	Franz	05/15/75	01/26/78	355 So.2d 111	48029	Life	Tedder	
Chambers	Glen	07/11/75	11/04/76	339 So.2d 204	47888	Life	Tedder	
Brown	Henry	08/01/75	02/01/79	367 So.2d 616	48229	Life	Tedder	
Hoy	Darrell	04/27/76	12/02/77	353 So.2d 826	49448 & 49449	Affirmed	N/A	
Hall	Jesse	04/30/76	12/20/79	381 So.2d 683	49566 & 49567	Retrial	Other issues	Evidence Issues: Inability to cross-examine testimony
Malloy	Rodney	05/01/76	12/20/79	382 So.2d 1190	49580	Life	Tedder	
Walker	Ernest	06/30/76	04/07/77	345 So.2d 428		Dismissed	N/A	
Spaziano	Joseph	07/16/76	01/08/81	393 So.2d 1119	50250	Resentence	Other issues	Gardner: Judge relied upon information not available to the jury or defendant (Gardner violation) and nonstatutory aggravating factors
Ziegler	William	07/16/76	09/11/81	402 So.2d 365	50355	Affirmed	N/A	
Jacobs	Sonia	08/20/76	03/26/81	396 So.2d 713	50175	Resentence	Tedder	
Odom	Eddie	10/08/76	07/23/81	403 So.2d 936	50575	Life	Tedder	
Williams	Clifford	10/27/76	06/12/80	386 So.2d 538	50666	Life	Tedder	
Lewis	Robert	12/03/76	04/02/81	398 So.2d 432	50851	Resentence	Tedder and others	Tedder & erroneous finding of aggravating factors
Shue	William	02/07/77	12/07/78	366 So.2d 387	51235	Life	Tedder and others	Tedder & death penalty cruel and unusual punishment for rape
Neary	Jack	04/20/77	05/15/80	384 So.2d 881	51691	Affirmed	N/A	
Bryant	Alonzo	11/22/77	03/25/82	412 So.2d 347	53230	Retrial	Other issues	Judicial Errors: Court refused to give requested jury instruction

Jury Overrides

Barfield	John	03/03/78	06/11/81	402 So.2d 377	53767	Life	Tedder	
Burford	Robert	03/31/78	07/23/81	403 So.2d 943	54010	Affirmed	N/A	
McKennon	Roy	04/21/78	07/23/81	403 So.2d 389	54172	Life	Tedder	
White	Beauford	04/21/78	03/20/81	403 So.2d 331	54292	Affirmed	N/A	
Phippen	James	06/22/78	10/23/80	389 So.2d 991	54664	Life	Tedder	
Dobbert	Ernest	06/30/78	07/05/79	375 So.2d 1069	45558	Affirmed	N/A	
Goodwin	David	08/18/78	07/30/81	405 So.2d 170	55086	Life	Tedder	
Stokes	Durham	08/25/78	07/16/81	403 So.2d 377	55054	Life	Tedder	
Welty	William	10/31/78	07/02/81	402 So.2d 1159	55497	Life	Tedder	
Porter	Raleigh	12/11/78	06/04/81	400 So.2d 5	55841	Resentence	Other issues	Gardner. Judge relied upon information not available to the jury or defendant (Gardner violation)
Smith	Guy	12/21/78	07/16/81	403 So.2d 933	56005	Life	Tedder	
Johnson	Marvin	01/12/79	12/11/80	393 So.2d 1069	56703	Affirmed	N/A	
Heiney	Robert	03/29/79	02/02/84	447 So.2d 210	56778	Affirmed	N/A	
McCambell	Thomas	04/24/79	10/28/82	421 So.2d 1072	57026	Life	Tedder and others	Tedder & relied on nonstatutory aggravating factors
Engle	Gregory	08/17/79	09/15/83	438 So.2d 803	57708	Resentence	Other issues	Evidence Issues: Inability to cross-examine testimony
Stevens	Rufus	08/17/79	09/14/82	419 So.2d 1058	57738	Affirmed	N/A	
Webb	Solomon	11/16/79	04/14/83	433 So.2d 496	58306	Life	Tedder	
Gilven	William	01/14/80	07/15/82	418 So.2d 996	58743	Life	Tedder	
Lusk	Bobby	02/05/80	01/26/84	446 So.2d 1038	59146	Affirmed	N/A	
Miller	Earnest	02/20/80	03/25/82	415 So.2d 1262	58795	Affirmed	N/A	
Mills	Gregory	04/18/80	08/30/85	476 So.2d 172	59140	Affirmed	N/A	
Barclay	Elwood	04/18/80	05/30/85	470 So.2d 691	64765	Life	Tedder	
Barclay	Elwood	04/18/80	06/04/81	411 So.2d 1310	47260	Affirmed		
Bolender	Bernard	04/25/80	10/28/82	422 So.2d 833	59333	Affirmed	N/A	
Cannady	Michael	06/20/80	02/24/83	427 So.2d 723	59974	Life	Tedder	
Walsh	Donald	06/25/80	07/29/82	418 So.2d 1000	59512	Life	Tedder	
McCray	Ervin	08/25/80	06/24/82	416 So.2d 804	59691	Life	Tedder and others	Tedder & erroneous finding of aggravating factors
Washington	Ricky	09/15/80	05/19/83	432 So.2d 44	59748	Life	Tedder and others	Tedder & erroneous finding of aggravating factors
Routley	Dan	11/24/80	09/22/83	440 So.2d 1257	60066	Affirmed	N/A	
Norris	Derwin	03/11/81	02/03/83	429 So.2d 688	60711	Life	Tedder	
Jaramillo	Antibal	04/08/81	07/08/82	417 So.2d 257	60570	Release	Other issues	Evidence Issues: Insufficient evidence
Andrews	Lucious	04/30/81	12/08/83	443 So.2d 78	60584	Retrial	Other issues	Judicial Errors: Failed to dismiss case after improperly commenting on defendant's right to testify
Spaziano	Joseph	06/04/81	05/26/83	433 So.2d 508	50250	Affirmed	N/A	
Porter	Raleigh	08/03/81	01/27/83	429 So.2d 293	61063	Affirmed	N/A	
Thomas	Ed	08/24/81	09/13/84	456 So.2d 454	61170	Affirmed	N/A	
Herzog	Frederick	12/01/81	09/22/83	439 So.2d 1372	61513	Life	Tedder	
Livingston	Aubrey	01/05/82	09/13/84	458 So.2d 235	61967	Retrial	Other issues	Judicial Errors: Allowing jurors to recess for the weekend. after beginning deliberations

Jury Overrides

Richardson	Robert	03/08/82	09/01/83	437 So.2d 1091	61924	Life	Tedder	
Hawkins	David	03/31/82	07/14/83	436 So.2d 44	61936	Life	Tedder	
Jones	Freddie	04/07/82	02/21/85	464 So.2d 547	62098	Retrial	Other issues	Reversed under authority of State v. Neill, 457 So.2d 481 (Fla.1984)
Rivers	Aldelbert	04/08/82	11/01/84	458 So.2d 762	62127	Life	Tedder	
Craig	Robert	05/11/82	05/28/87	510 So.2d 857	62184	Resentence	Other issues	Evidence Issues: Defense not allowed to present all mitigating evidence
Burr	Charlie	06/21/82	02/14/85	466 So.2d 1051	62365	Affirmed	N/A	
Gorham	David	11/05/82	07/19/84	454 So.2d 556	62882	Affirmed	N/A	
Brown	Larry	11/15/82	06/27/85	473 So.2d 1260	62922	Affirmed	N/A	
Amazon	Ira	12/08/82	03/13/86	487 So.2d 8	64117	Life	Tedder	
Thompson	Isaac	02/11/83	09/06/84	456 So.2d 444	63398	Life	Tedder	
Groover	Tommy	02/18/83	09/06/84	458 So.2d 226	63375	Affirmed	N/A	
Ramos	Juan	03/10/83	08/28/86	496 So.2d 121	63444	Retrial	Other issues	Evidence Issues: State failed to establish scientific adequacy of lineup
Francis	Bobby	03/29/83	06/20/85	473 So.2d 672	64148	Affirmed	N/A	
Parker	Robert	04/29/83	09/06/84	458 So.2d 750	63700	Affirmed	N/A	
Parker	Robert	04/29/83	08/11/94	643 So.2d 1032	63700	Life	Tedder	
Huddleston	Harry	07/07/83	08/29/85	475 So.2d 204	64307	Life	Tedder	
Eutzy	William	07/08/83	09/20/84	458 So.2d 755	64212	Affirmed	N/A	
Brown	Anthony	07/27/83	05/02/85	471 So.2d 6	64247	Retrial	Other issues	Evidence Issues: Brown not notified of deposition and was not able to cross-examine witness
Brookings	Donald	08/11/83	08/28/86	495 So.2d 135	64221	Life	Tedder	
Echols	Robert	08/12/83	09/19/85	484 So.2d 568	64246	Affirmed	N/A	
Dolinsky	Raymond	12/18/83	01/18/91	576 So.2d 271	64743	Life	Tedder	
Wasko	Edward	03/01/84	03/05/87	505 So.2d 1314	65547	Life	Tedder	
Nelson	Melvin	04/11/84	05/01/86	490 So.2d 32	65279	Retrial	Other issues	Evidence Issues: Admission of hearsay evidence. Died in March, 1986
Van Royal	Terry	10/19/84	09/18/86	497 So.2d 625	66144	Life	Other issues	Sentencing Issues: Non-written findings in support of death
Torres-Aboleta	Oscar	11/09/84	03/24/88	524 So.2d 403	66354	Affirmed	N/A	
Thompson	Patrick	11/08/84	09/18/96	494 So.2d 203	66224	Retrial	Other issues	Evidence Issues: Improperly admitted evidence of a prior crime
Duboise	Robert	03/07/85	02/04/88	520 So.2d 260	67082	Life	Tedder	
Spivey	Herbert	03/29/85	07/14/88	529 So.2d 1088	67010	Life	Tedder	
Irizarry	Hector	04/04/85	10/30/86	496 So.2d 0822	66947	Life	Tedder	
Hansbrough	Kirk	07/12/85	06/18/87	509 So.2d 1081	67463	Life	Tedder	
Douglas	Howard	08/02/85	01/15/91	575 So.2d 165	67603	Life	Tedder	
Ferry	John	09/27/85	04/30/87	507 So.2d 1373	67759	Life	Tedder	
Cochrane	Guy	10/11/85	07/27/89	547 So.2d 928	67972	Life	Tedder	
Helsworth	Eric	11/01/85	02/18/88	522 So.2d 348	67973	Life	Tedder	
Fead	J.C.	11/25/85	09/03/87	512 So.2d 176	68341	Life	Tedder	
Perry	Johnny	01/31/86	03/10/88	522 So.2d 817	68482	Life	Tedder	

Jury Overrides

Engle	Gregory	03/29/86	06/25/87	510 So.2d 881	68548	Affirmed	N/A	
Brown	Morris	04/04/86	05/12/88	526 So.2d 903	68690	Life	Tedder	
Masterson	John	04/10/86	12/10/87	516 So.2d 256	68814	Life	Tedder	
Burch	Mark	05/21/86	02/18/88	522 So.2d 810	68881	Life	Tedder	
Fuente	Hector	07/01/86	09/14/89	549 So.2d 652	69196	Life	Tedder	
Merritt	John	08/19/86	04/21/88	523 So.2d 573	69353	Retrial	Other issues	Evidence Issues: Erroneous admission of evidence of escape
Thompson	Raymond	08/21/86	10/19/89	553 So.2d 153	69352	Affirmed	N/A	
Harmon	James	12/22/86	05/19/88	527 So.2d 182	69824	Life	Tedder	
Amos	Vernon	12/24/86	08/15/89	545 So.2d 1352	69928	Retrial	Other issues	Judicial errors: Unconstitutional jury selection process
Morris	George	03/04/87	02/22/90	557 So.2d 27	70234	Life	Tedder	
Caillier	Caria	03/19/87	04/07/88	523 So.2d 158	70297	Life	Tedder	
Hallman	Darrell	05/11/87	04/12/90	560 So.2d 223	70761	Life	Tedder	
Wright	Mac Ray	09/11/87	08/29/91	586 So.2d 1024	71534	Conv. & Sent. vacated	Tedder and others	Tedder, racially discriminatory use of peremptory challenges, failure to sever charges, improper jury instructions - Wright not to be subjected to the death penalty in a retrial
Christian	Doy	12/07/87	09/28/89	550 So.2d 450	71636	Life	Tedder	
Freeman	John	12/11/87	07/27/89	547 So.2d 125	71756	Life	Tedder	
Pentacost	David	12/31/87	06/29/89	545 So.2d 861	71851	Life	Tedder	
Hegwood	Bernell	03/29/88	01/17/91	575 So.2d 170	72336	Life	Tedder	
McCrae	James	04/22/88	05/30/91	582 So.2d 613	74685	Life	Tedder	
Craig	Donny Gene	05/27/88	09/05/91	585 So.2d 278	72591	Life	Tedder	
Buford	Robert	06/01/88	11/01/90	570 So.2d 923	72592	Life	Tedder	
Carter	Charles	08/26/88	04/26/90	560 So.2d 1166	73089	Life	Tedder	
Caruso	Michael	12/02/88	10/06/94	645 So.2d 389	73507	Life	Tedder	
Garcia	Rolando	12/08/88	09/06/90	588 So.2d 896	73648	Retrial	Other issues	Judicial Errors: Failure to sever offenses
Bedford	Michael	01/20/89	10/10/91	589 So.2d 245	73703	Life	Tedder	
Downs	Bobby Lee	03/03/89	01/18/91	574 So.2d 1095	73877	Life	Tedder	
Cheshire	Steven	07/18/89	09/27/90	588 So.2d 908	74477	Life	Tedder and others	Tedder, failure to find nonstatutory mitigating factors, and reliance upon unproven aggravating factors
Cooper	Vernon	07/28/89	05/09/91	581 So.2d 49	74611	Life	Tedder	
Ziegler	William	08/17/89	04/11/91	580 So.2d 127	74663	Affirmed	N/A	
Robinson	Timothy	09/26/89	10/15/92	610 So.2d 1288	74945	Affirmed	N/A	
Coleman	Michael	09/29/89	12/24/92	610 So.2d 1283	74944	Affirmed	N/A	
Frazier	Darrell	10/02/89		vacated by trial court			N/A	
Scott	Jeremy	10/04/89	08/27/92	603 So.2d 1275	75036	Life	Tedder	
Marshall	Matthew	12/12/89	07/16/92	604 So.2d 799	75406	Affirmed	N/A	
Savage	James	01/23/90	10/03/91	588 So.2d 975	75494	Life	Tedder	

Jury Overrides

Jackson	Douglas	04/20/90	04/09/92	599 So.2d 103	75970	Life	Tedder	
Reilly	Michael	08/31/90	05/28/92	601 So.2d 222	76764	Life	Tedder	
Stevens	Rufus	04/26/91	11/12/92	613 So.2d 402	78031	Life	Tedder	
Williams	Ronald	06/21/91	07/01/93	622 So.2d 456	78249	Affirmed	N/A	
Garcia	Henry	07/10/91	08/11/94	644 So.2d 59	78411	Affirmed	N/A	
Barrett	John	09/09/91	11/23/94	649 So.2d 219	78743	Retrial	Tedder and others	Tedder and failure to conduct a Richardson hearing
Christmas	Marc	11/12/91	01/13/94	632 So.2d 1368	79044	Life	Tedder	
Craig	Robert	11/22/91	05/13/93	620 So.2d 174	79209	Resentence	Other issues	Sentencing Issues: Different judges for the penalty phase and sentencing
Perz	Augustine	12/13/91	01/12/95	648 So.2d 715	79446	Life	Other issues	Sentencing Issues: Non-written findings in support of death
Turner	Eric	04/10/92	11/23/94	645 So.2d 444	79895	Life	Tedder	
Washington	Anthony	09/04/92	04/27/95	653 So.2d 362	80537	Affirmed	N/A	
Esty	Sean	09/09/92	08/11/94	642 So.2d 1074	80598	Life	Tedder	
Boyett	Matthew	05/14/93	12/05/96	688 So.2d 308	81971	Life	Tedder	
Pomeranz	Stuart	09/09/93	12/24/97	703 So.2d 465	82467	Life	Tedder	
Craig	Robert	09/27/93	10/03/96	665 So.2d 1224	82642	Life and re-sentence	Tedder and others	Tedder, prosecutorial misconduct, and improper finding of two aggravating factors
Mahn	Jason	02/23/94	04/16/98	714 So.2d 391	83423	Life and re-sentence	Tedder and others	Tedder, insufficient evidence to prove robbery charge, improper finding of CCP aggravating factor, and failure to find age as a mitigating factor
Jenkins	Lorenzo	04/11/94	05/01/97	692 So.2d 893	83727	Life	Tedder	
Strausser	William	09/01/94	10/17/96	682 So.2d 539	84371	Life	Tedder	
San Martin	Pablo	10/11/94	06/11/98	717 So.2d 462	84702	Life	Tedder	
Marta-Rodriguez	Cruz	02/17/95	10/02/97	699 So.2d 1010	85326	Life	Tedder	
Harrison	Dwight	11/27/95		Suicide				
Zakrzewski	Edward	04/19/96	06/11/98	717 So.2d 488	88367	Affirmed	N/A	
Keen	Michael	07/15/96	09/28/00	775 So. 2d 263	88802	Retrial	Tedder and others	Tedder and improper admission of hearsay evidence
Ramirez	Joseph	03/13/98	12/20/01	810 So.2d 836	92975	Conv. & sent. vacated	Other issues	Evidence Issues: Improper admission of testimony
Weaver	Jeffrey	08/27/99	12/16/04	894 So.2d 178	00247	Life	Tedder	
Total Cases: 166								
Special cases								
FSC affirmed jury override								