



# *As Woman's Execution Nears, Texas Squirms*

By **Sam Howe Verhovek**

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Texas put 37 men to death this year, the most executions in any state in any year in the modern era of capital punishment. But even for a state with the nation's busiest execution chamber, the looming lethal injection of prisoner No. 777 at the Mountain View Unit here is a milestone. The condemned inmate is 38-year-old Karla Faye Tucker, who would become the first woman executed in Texas since the Civil War. She is scheduled to die on Feb. 3 for her part in the pickax slayings 14 years ago of Jerry Lynn Dean and Deborah Thornton, a crime that is still known as one of the most lurid in Houston's history.

Just one woman has been executed in the United States since the reinstatement of the death penalty two decades ago. But with her latest appeals turned down by the United States Supreme Court earlier this month, and her execution date set recently by Judge Debbie Mantooth Stricklin of State District Court, Ms. Tucker has pinned her hopes for a reprieve on Gov. George W. Bush and the state's 18-member Board of Pardons and Paroles, which has not recommended commutation of a death sentence in more than a decade.

As the execution date nears, an unlikely array of sympathizers ranging from Christian conservatives to a juror in her trial are lobbying to save her life in a case that offers a stark political quandary for Mr. Bush and an equally stark picture of society's reluctance -- even in a law-and-order state -- to execute women.

At 5 foot, 3 inches and 120 pounds, with dark, wavy hair and an expressive manner, Ms. Tucker does not fit the typical image of a condemned killer. In an interview here, through the plexiglass divider that keeps her physically apart from almost every other human being, including her husband, she described herself as "a really huggy, touchy-feely person" who would love nothing more than to be a mother.

But while almost nobody reviewing her case questions the depth of her conversion to Christianity and her commitment to a prison-based ministry aimed at keeping young people from becoming criminals, this is still the same Karla Faye Tucker who helped to kill two people 14 years ago. Strung out with her boyfriend on a variety of drugs, she repeatedly assaulted the sleeping victims with the murder weapon, left it embedded in Ms. Thornton's chest and boasted, just after the killings, that she had experienced a surge of sexual pleasure every time she swung the 3-foot pickax.

Ms. Tucker is one of a relatively small group of women awaiting execution around the country.

Nationally, women account for one in every 8 people arrested for murder, but women make up only one of roughly every 70 inmates on death row. And, since 1976, when the Supreme Court cleared the way for reimposition of the death penalty, just one of the 432 people executed was a woman -- Margie Velma Barfield, a North Carolina grandmother put to death 13 years ago for poisoning her fiance.

The queasiness about executing women is particularly striking here in Texas, a state responsible for exactly half of all executions in the country in 1997 and roughly a third since the Supreme Court permitted the reinstatement of capital punishment in 1976. While many in the state hail its tough-on-crime image, Texas has put fewer female murderers on death row than Florida or North Carolina and has not executed any woman since 1863, when Chipita Rodriguez was put to death for murdering a horse trader.

"There is certainly a gender bias in the process, and women are screened out at all levels of the system, especially in Texas," said Victor L. Streib, dean of Ohio Northern University's College of Law, who compiles the figures on female convictions and executions in a semiannual publication, "Capital Punishment of Female Offenders."

"I've asked a lot of officials in Texas, how come you are so tough on the death penalty and so proud of it and yet you never use it on a woman?" Professor Streib said. "I think it really all comes down to an attitude -- Texans just don't treat their women that way."

As her execution date nears, Ms. Tucker has drawn support from a sister of one of the victims, a juror in her case, and former prosecutors. No less nettlesome for Mr. Bush, a potential candidate for the Presidency who values the political support of religious conservatives, is the campaign being waged by national television evangelist Pat Robertson, who says he is not opposed to the death penalty but has urged the Governor to exercise compassion and spare Ms. Tucker's life.

Ms. Tucker, who says that her Christian faith makes her firmly opposed to the death penalty as well as to abortion and euthanasia, says she does not believe she should be given special consideration because of her sex.

"If you believe in it for one, you believe in it for everybody," Ms. Tucker said of capital punishment in the interview here in Gatesville, a central Texas prison town that is where she and the six other women on the state's death row live. "If you don't believe in it, don't believe in for anybody."

Nonetheless, and clearly because she is a woman, her case has drawn a large amount of attention here, and is likely to draw much more as Feb. 3 approaches.

The chairman of the state's pardon board, Victor Rodriguez, took the highly unusual action earlier this month of coming to Gatesville for a private meeting with the condemned woman.

Some experts on the death penalty, including Professor Streib, said they believe that something will happen to at least put off the execution date, as has happened for Ms. Tucker and many other female inmates in Texas and other states. So far, though, there are no indications that a reprieve is in the offing.

"After my visit with her, I remain convinced that gender should not be given any weight in considering clemency," Chairman Rodriguez said recently. "After all is said and done, we still have a very horrendous crime that was committed."

And Governor Bush, who has never pardoned, commuted or even delayed a death sentence during his tenure, has given no signals that he has leniency on his mind. "The gender of the murderer did not make any difference to the victims," said the

Governor's spokeswoman, Karen Hughes, who added that Mr. Bush asks two primary questions in his review of commutation petitions: is there any question about the individual's guilt, and has the individual had fair access to the courts and a full hearing on all legal issues?

Legally, Mr. Bush can commute Ms. Tucker's sentence only if a majority of pardon board members recommends that he do so; because he has appointed most of the members, there is little doubt that he could secure such a vote if he wanted. Conversely, if the board does vote for commutation, he may ignore its recommendation. On his own, he could also issue a one-time, 30-day reprieve from execution.

Some of Ms. Tucker's supporters fear that all the publicity could actually hurt her case for commutation.

"She has from the first been willing to do whatever kind of amends somebody who commits such a horrible crime can do," said Rusty Hardin, a former top Houston prosecutor. "That's what sets her apart from many other people on death row. If you believe in the commutation process, it's the best case I've ever seen. People should simply stop talking about the fact that she's a woman, or a converted Christian."

Ms. Tucker has long acknowledged her guilt and even after she was sentenced to death by a Houston jury in 1984, she testified against her former boyfriend, Daniel Ryan Garrett, who also was convicted and sentenced to death, but who died in prison of liver disease before the state could execute him.

The murders occurred after Ms. Tucker and Mr. Garrett broke into the apartment of Mr. Dean, an acquaintance, to steal motorcycle parts. Ms. Thornton, whom Mr. Garrett had met at a party a few hours earlier and brought home, was in bed with him.

Much of Ms. Tucker's life is recounted in a book, "Crossed Over: The True Story of the Houston Pickax Murders," by the novelist Beverly Lowry, who described Ms. Tucker as "a dooper at 8, a needle freak behind heroin by the time she was 11," who first had sex at the age of 11 or 12 and later became a prostitute. "My mother and I were really close," Ms. Tucker recounted in the book. "We used to share drugs like lipstick."

The book also offers a detailed look at Ms. Tucker's conversion to Christianity. That, and why teen-agers turn to crime, were subjects she spoke about at length, in a soft, twangy voice, in the interview here.

"I was crying out, I mean crying out, for attention," she said, remembering that she felt envy, at age 8, for a neighborhood girl whose parents took her to church regularly.

"I absolutely believe that if the parents of that child -- I mean, they saw right where I was headed. If they would have just reached out in the love of Jesus and tried to help me, you never know how they could have changed the course of my life," Ms. Tucker said. "I was a very young, impressionable child at that point and had they just cared enough to reach out, you never know. I'm telling anybody who's out there, there are things you can do to save a child from going down that road."

But, Ms. Tucker quickly added, she did go down that road, and she made decisions for which there are consequences. Moreover, she said, she does not believe she should be treated differently by the pardon board because of her sex. "I know there are people who have gone before the board who were just as committed to Christ as I am," she said.

Asked if she believes she will be spared from execution, Ms. Tucker paused and then said slowly: "There are some days I can see the Lord working that miracle, and then there some days I can see him coming down and escorting me home from that table. So, I try to feel, like, 'O.K., Lord. Whatever. It's up to you.' "