Federal court upholds death penalty for Kentuckian sentenced in 1980, despite 'horrific life'

BY KENTUCKY LANTERN STAFF

A federal appeals court has upheld the capital sentence of Kentucky's longest-serving death row inmate.

In a 2-1 ruling the 6th U.S. Circuit Court of Appeals upheld the death sentence of Karu Gene White, who was 19 when he and two juveniles were charged in the brutal 1979 murders and robbery of three elderly shopkeepers in Breathitt County. Lula Gross, 74, her husband Charlie Gross, 75, and Lula's brother, Sam Chaney, 79 were beaten to death inside the small grocery store where they also lived. White had heard that they were keeping a large amount of cash in the store.

White was convicted and sentenced to death in 1980.

In his latest appeal White argued that during the penalty phase of his trial his lawyers failed to present mitigating evidence that could have persuaded at least one juror to block his death sentence.

Judges Alice M. Batchelder and Amul Thapar ruled that the Kentucky Supreme Court had properly considered and rejected White's argument,

"After a horrific life that culminated in his committing horrific murders, Karu Gene White had his day in court decades ago. A jury of his peers found him guilty of murder. He was sentenced to death. Despite years of delay the truth persists: neither the law nor just stand in the way of his sentence."

In her dissent Judge Jane B. Stranch cited numerous instances when White, whom she said was "physically, mentally, and emotionally abused," could have suffered brain damage as a child, evidence she said his lawyers should have presented to the jury during the sentencing phase.

"His family members alternated between neglecting him and engaging in extreme violence towards him including shooting at him, forcing him out of his home, and forcing him to drink urine," Stranch wrote in her dissent. "He witnessed the death of a sibling as a result of the same behavior that was directed towards him on a routine basis and the death of his own father at the hands of an uncle. He suffered head injuries and showed signs of mental incapacitation. He was exposed to drugs and deliberately fed alcohol at a young age. He was exposed to inappropriate sexual activity ... and much of that sexual activity was violent, including rapes and beatings of underage family members in his presence, often by his own father. He developed the same antisocial behaviors that lead to the murders because of this abuse. There was too much mitigating evidence to ignore."

Executions have been on hold in Kentucky since 2010 when Franklin Circuit Judge Phillip Shepherd found that the state's lethal injection protocol was inconsistent with state law and provided no safeguards to prevent the execution of an inmate who is intellectually disabled or criminally insane.

Republican Attorney General Russell Coleman has asked Shepherd to lift the ban on capital punishment, saying the

Beshear administration's regulatory changes have brought the state into compliance with his 2010 ruling.

The Kentucky Supreme Court in October 2024 unanimously rejected Coleman's request to end Shepherd's injunction. Coleman filed a motion in December 2024 asking Shepherd to dissolve the injunction and allow executions to proceed.

Twenty-five people are on Kentucky's death row.

Kentucky has executed three people since 1976, when the U.S. Supreme Court reinstated the death penalty; Kentucky has had no executions since 2008.

The Kentucky Lantern, an independent, nonpartisan, free news service, can be found at, kentuckylantern.com.

VETO

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meant to feel like a home. They do not offer c-sections or anesthesia. They are for low-risk pregnancies, and not every pregnancy will qualify for such a birth.

CON attempts to certify that there is a need for a service, be that extra beds in a hospital, an extra MRI machine or a new facility altogether, like a freestanding birthing center.

CON laws are meant to control health care costs by limiting duplicate services, according to the National Conference of State Legislatures the certificate of need re-

(NCSL). Without CON, hypothetically, a community could have many duplicates of the same service. That could force a facility — such as a hospital — to raise prices to compensate for underutilized services brought on by that competition.

Anticipating the end of

quirement, several people have already expressed interest in opening a birth center, DeLodder said. She still has concerns about the portion of the bill that requires a medical doctor to oversee the centers.

"There are some physicians who we know are supportive of birth centers, but how many of them are there out there, and how many of them will be willing to become a medical director is vet to be seen," she said. "And as people work to develop those relationships in different areas of the state where they wish to open birth centers ... I think time will be the only thing

that will tell whether that's going to end up being a challenge or not."

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The Center for Rural Development accepting grant applications for 2025 ARC mini grants

SPECIAL TO APPALACHIAN NEWSPAPERS

The Center for Rural Development is accepting grant applications for the 2025 Kentucky Appalachian Regional Commission mini-grant program. The mini-grant pro-

gram (sometimes referred to as the Flex-E-Grant program), according to a statement from the Appalachian Regional Commission, is open to qualified local units of government and non-profit entities in Floyd, Johnson, Perry and Pike counties for capaci-

ty-building planning and implementation projects.

Other counties within The Center's service area that are eligible to apply include: Bath, Bell, Breathitt, Carter, Casey, Elliott, Clay, Clinton, Estill, Harlan, Jackson, Knott, Knox, Lawrence,

Lee, Leslie, Letcher, Magoffin, Martin, McCreary, Menifee, Metcalfe, Morgan, Owsley, Rockcastle, Rowan, Russell, Wayne, Whitley and Wolfe.

The mini-grant program provides strategic investments in projects that build community capacity to mobilize local resources, gain leadership experience and strengthen community institutions and network, the statement said.

Grants are subject to approval for up to \$10,000, require a 20 percent match of total project costs, and are to be completed within a six-month timeframe. Mini-grants are available on a reimbursement basis only.

and supporting documents must be submitted to The Center for Rural Development by 5 PM (EDT) on May 2. Digital files are preferred and may be emailed to, arc@ centertech.com.

For questions about the application process or program guidelines, please call, (606) 677-6000, or email, jvanthournout@centertech.com. The Center for Rural Development administers programs funds in partnership with the Kentucky Department for Local Government and the ARC.



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All grant applications

Several charged in Perry District Court

A HAZARD HERALD STAFF REPORT

Charges were filed against several recently in Perry District Court. The charges included:

Misdemeanor cases

Cody Ann Castleberry, 25, of Green Farm, Pickens, Ga., dchargecharged

Dwithalton Adams, 24, of Asia Street, Franklin, endangering the welfare of a minor, menacing and third-degree terroristic threatening.

Christopher James Strube, 41, of Ky. 451, Krypton, DUI, possession of marijuana, possession of a prescription drug not in a proper container, possession of a controlled substance, possession of drug paraphernalia and traffic charges.

Alesha M. Bowling, 20, of Gorman Hollow Road, Hazard, alcohol intoxication.

Dalton Noble, 24, of Owens Branch Road, Slemp, alcohol intoxication.

Christopher W. Stidham, 32, of Rhine Ridge Road, Busy, setting fire on own land without taking precaution and burn law violation.

William E. Herald, 68, of Memorial Drive, Hazard, resident fishing without a license.

Elsie Denise Mills, 44, of Memorial Drive, Hazard, resident fishing without a license/permit.

Peter Turner, 55, of Upper Second Creek Road, Hazard, theft.

Steven Feltner, 52, of Hidden Acres Drive, Corbin, theft.

Felony cases

Scott Stacy, 45, of Cutshin Road, Yeaddiss, second-degree burglary, public intoxication, second-degree disorderly conduct and giving an officer false identifying information.

Christopher Stidham, 32, of Rhine Ridge Road, Hazard, theft.

Editor's note: The above list reflects people who are charged in Perry District Court. The charges against them are merely accusations and the defendant is presumed innocent until proven guilty.