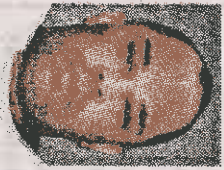


Stay sought for young girl's killer



Jonathan Green raped a 12-year-old in Montgomery County.

Defense argues inmate is mentally ill and should not be executed

By Mike Tolson

A mentally ill inmate is set to die Wednesday for the abduction, rape and murder of a Montgomery County girl, whose body was buried in his yard. Jonathan Green came close to execution in 2010 but received a last-minute

stay so that appeals courts could evaluate his mental condition and determine whether he is competent to be executed. Green suffers from schizophrenia, and his attorney claims he also is borderline mentally retarded. Mental illness is not necessarily a bar to execu-

tion. But the law requires that a condemned person have a rational understanding of the reason he is being put to death. In 2007, the U.S. Supreme Court decided that understanding the literal connection between an execution and a conviction is not enough. Delusional defendants, the court

reasoned, might recognize that connection but have a distorted view of the crime or why they were convicted. Green's attorney, James Rytting, is hopeful of getting another stay. He claims his client has deteriorated further over the past two years. He said Green suffers from visual, auditory and olfac-

tory hallucinations. "Mr. Green is seriously mentally ill," Rytting said. "He persists in his delusional belief that he was convicted by a judge who along with the prosecutor engaged in sexual misconduct during trial, and persists in the delusional belief that he could not have killed the victim because letters exist that show he was somewhere in

Green continues on B8

Green buried girl near a trash pile

Green from page B1

Comroe when the victim died."

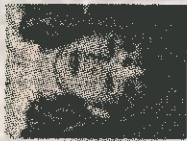
A Montgomery County judge ruled last year that Green, 44, met the standard for competence. Mental health experts for the defense and prosecution offered differing opinions on Green's competence.

A state expert testified Green was malingering. A defense expert disagreed, as did Texas Department of Criminal Justice mental health professionals whose report concluded

that "it does not appear (Green) is exaggerating his symptoms for secondary gains."

Competence questions

Rytting said the judge's apparent confusion over which standard for competence to apply — the Texas Court of Criminal Appeals later ordered her to explain which she had used — as well as her unwillingness to allow prison system doctors to testify leads him to believe federal courts might still stop the execution, which he has called "revolting."



Christina Leann Neal, 12, was grabbed walking home in rural Dobbins.

Prosecutors said a letter Green sent to Montgomery County District Attorney Brett Ligon provided evidence of his rational state. The letter outlined his complaints about his trial and the case against him. Green, who did not agree to an interview, was found guilty of killing

12-year-old Christina Leann Neal in June 2000. Neal disappeared while walking home in the rural community of Dobbins. A onetime star running back for Montgomery High School, Green was accused of grabbing the girl shortly after she left a friend's house about 100 yards away from his residence.

Body hidden in home
After a fruitless search for the girl, authorities learned that Green had burned a pile of trash on his property after

Neal disappeared. When investigators began to probe the area around the burned trash, Green ordered them off his property. They returned with a search warrant, saw a freshly dug hole near the old trash pile and began a thorough search of the premises. Neal's body was found in a gray blanket stuffed into a laundry bag behind a chair in his home.

"Justice needs to be served, and he needs to die," said Laurie Neal, Christina's mother, in a 2010 interview. "He knew

what he was doing. He went across the highway and grabbed Christina. She wasn't more than 200 yards from home. For somebody to do all that — to grab her, bury her behind his house, then burn trash on top of it and almost get away with the perfect murder — that's not a crazy person."

"She liked the simple things," her mother said. "She liked playing basketball, she liked horses and animals, she liked cooking with me on holidays. We just had a memorial service for her. It's been 10 long years since she died. It was just like somebody ripped our heart out. Our family is not complete. It will never be complete."

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