



Joel Adrian Cruz Gets LWOP in 2013 FL Murder of Two-Year-Old Anahie Fernandez

Jury recommends death for Pinellas man who killed girlfriend's toddler

CLEARWATER — Jurors who last week convicted Joel Cruz of killing his then-girlfriend's 2-year-old daughter voted 10-2 on Tuesday night to recommend a judge sentence him to death.

Circuit Judge Joseph A. Bulone must give great weight to the jury's suggestion when he decides Cruz's fate. No date is set for him to pronounce that punishment, which either will be death or life in prison. Cruz's next scheduled day in court is a status hearing on Feb. 23.

The jury previously found Cruz, 29, guilty of first-degree murder in the slaying of Anahie Fernandez in May 2013. On Tuesday the panel heard more testimony and deliberated into the night before returning to Bulone's courtroom with its recommendation.

Cruz was alone with the toddler when she sustained fatal injuries, including severe brain trauma. The Pinellas-Pasco medical examiner determined her death was a homicide.

Anahie's mother, Karina Mora, found her in her bed with severe injuries and demanded Cruz take her and her other daughter to a hospital. On the way there he told Mora not to "snitch" on him, and made up a story for her to tell that Anahie had fallen in the van and hit her head. Mora at first went with the story, but later — once it was clear Anahie would not survive — told police she didn't know what happened, but that her youngest daughter had been fine before spending time with Cruz.

Mora, 23, read a statement in court Tuesday about her daughter, who they family had nicknamed "Chunky."

"Chunky meant everything to me and my family," she said. "Chunky's laugh was one of a kind."

Mora's family and the family of Anahie's biological father, Carlos Fernandez, attended the trial and this week's penalty phase. Newcomers to the courtroom were Cruz's mother, sister and brothers, several of whom had flown in from Puerto Rico.

A clinical psychologist hired by the defense attorneys testified Cruz, who had only a 10th grade education, had a 70 IQ — lower than 98 percent of the population — and committed the slaying under mental and emotional distress. The psychologist said Cruz suffered from physical abuse at the hands

of his father and stepfather growing up, had a history of head injuries and currently was dealing with symptoms of depression and anxiety.

A doctor hired by the prosecution to conduct an examination on Cruz last weekend criticized the finding because the testing was done in English, which isn't Cruz's primary language. When the doctor spoke with him during the weekend and did her own evaluations, a Spanish interpreter was on hand.

Throughout the trial Cruz was been assisted by a Spanish interpreter as well.

The jury was asked Tuesday to consider evidence in the case presented before the conviction, but also aggravating and mitigating factors that should influence his punishment. The prosecution listed child abuse, the victim's young age and Cruz's role as a caregiver at the time of Anahie's death as aggravating factors.

Defense attorneys asked jurors to consider Cruz's background of dealing with abusive father figures and his emotional disturbance as mitigating, maintaining he had a decreased capacity to understand the consequences of his actions.

A minister from a church Cruz was attending before his arrest testified that he went to visit Cruz at his home a week before the incident when Cruz told him he was hearing voices. The minister said he believed Cruz was possessed by a demonic spirit when he killed Anahie.

Cruz's mother, sister and three of his brother's testified on Cruz's behalf, saying he was a good man, who would send money to his mother in Puerto Rico when he could.

Source:

- <http://www.myfoxorlando.com/story/27919285/man-convicted-of-fatally-beating-ex-girlfriends-daughter>
- <http://www.cncpunishment.com/forums/showthread.php?10165-Joel-Adrian-Cruz-Gets-LWOP-in-2013-FL-Murder-of-Two-Year-Old-Anahie-Fernandez>