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Michael Politte: Innocent but Imprisoned

“Imagine the worst day of your life. Now imagine living that day, every day of your life. That’s what it feels like if you’re innocent in prison” (Gates). Michael Politte was just fourteen-years old when he faced the corrupt justice system. A young boy was sentenced to life in prison for the murder of his mother; a murder that he was never a part of. Eighteen years later he continues to sit in his cell where he was forced to grow up and face adulthood surrounded by criminals. Michael continues to hold onto the little ounce of hope that his name will be cleared, and he will be given the opportunity to experience life outside the concrete walls. Michael Politte said, “What keeps me going, man, is my mother. If I give up, she loses her justice” (Gates). Although the miscarriages of justice took away Michael Politte’s freedom for a crime he didn’t commit, he might finally have a chance at the exoneration that he deserves.

So, who is Michael Politte? Michael Politte was a boy from Potosi, Missouri. He lived with his mom Rita Politte and next door to his uncle Chuck and his aunt Patsy Skiles. Michael had two older sisters, Melonie and Chrystal Politte and a father who wasn’t around much. As he reached his teenage years, Michael became known as a trouble maker. His favorite antic was playing with fire. Whether he was lighting things on fire with his friends, setting off firecrackers or simply flicking a lighter, Michael always found amusement. Michael’s hobby was an important factor regarding his conviction. Michael’s mom’s ex-boyfriend, Derek, who understood Michael’s reasoning for keeping his distance when him and Rita were together (considering he took his parent’s divorce personally) stated, “...Michael was just like any other kid who thought fires were cool” (Fanning). He believed that many teenage boys are easily

distracted by fire and Michael was no exception. He also believed that the court should not use his hobby against him (Donnelly). Today, Derek, Michael's sisters, aunt and uncle continue to believe that Michael is innocent and fight for his justice every day.

On December 5th, 1998, Michal Politte became the number one suspect for the murder of his mother, Rita Politte. On the morning of his mother's death, Michael and his friend Josh, who had spent the night, were awakened by the smell of smoke. immediately, Michael ran to his mother's bedroom where he found her engulfed in flames. When the police arrived at the scene, a police dog found traces of gasoline on Michael's shoes and that became the biggest piece of evidence towards the arrest. After failing a voice analysis test, Michael was put behind bars. Following his incarceration, Michael lost his chance at an appeal due to a "confession" that a witness claimed to hear:

Michael Politte lost his appeal in 2003, which revolved around the confession he claims is false. As his appeal stated, "the trial court erred in denying his motion to suppress statements because he was not informed of his rights under Miranda, "which is a legalese was of saying that Politte "confessed" before he was read his rights — meaning he was not arrested for a crime. "Second, Defendant claims the trial court erred in admitting the statements made after he received *Miranda* warnings because these statements were tainted by his pre-*Miranda* statements involuntary. (Donnelly)

A detention worker claimed to have heard Michael say, "That was the day I murdered my mother". Even though there was reason to believe that "I" and "They" can sound a lot alike in a high stress situation, especially considering Michael said it shortly after he attempted suicide, the court still used the confession as reason to convict him of second-degree murder.

The court's bias leads to the multiple miscarriages of justice presented in Michael Politte's case. From the day Rita Politte died to present day, the court has been convinced that the fourteen-year-old boy murdered his mother in 1998. The court believed that because Michael had a history of using fire, and there was evidence that he was playing with fire near the railroad tracks with friends the night prior to the murder, that fire would have been Michael's weapon of choice ("Trust"). When the shoes as well as Rita's body both tested positive for liquid accelerant, the court confirmed their suspicion. The court also focused heavily on Michael's voice analysis test. When Michael failed the test, it was used as key evidence against him. Lastly, the "confession" that a witness claimed to hear led to his life sentence and the end of investigation.

Michael Politte is still in prison due to the courts lack of investigation which is the number one miscarriage of justice. Unreliable fire identification is an important issue involved in the case. Michael became the number one suspect mainly as a result of the gasoline found on his shoes. However, Mark Emison, an attorney for a law firm that nationally recognizes cases involving fuel-fed fires and propane explosions, said, "A proper, scientific analysis of the chemical test results done at the time prove there was no gasoline on Michael's shoes. the tests only found solvents used in the shoe manufacturing process" (Emison). The court failed to thoroughly investigate a key piece of evidence; a piece of evidence that played a crucial role towards putting the fourteen-year-old behind bars. The other crucial piece of evidence used against Michael Politte was the voice analysis test. Trisha Bushnell, and attorney from the Midwest Innocence Project says, "They're completely unreliable, that's why they're not admissible in court. But what's unfortunate is that law enforcement not only uses them, but

they rely on them” (Gates). When the scared fourteen-year-old boy who just lost his mother took the test, the result came back saying he failed because there was deception in his voice. Michael Politte said, “It comes to the point where they’re not asking me anything. They’re telling me that I murdered my mother. And when they’re telling me that I murdered my mother, I was terrified. There’s no other way to describe it. Just terrified” (Gates). Law enforcement uses voice analysis or “stress” tests as reliable evidence even though the suspect is obviously placed in a stressful situation.

Another miscarriage of justice was the attempted coercion presented by law enforcement. With the intention of making the situation go away, law enforcement offered Michael a deal. Michael said, “They offered me fifteen years voluntary Manslaughter. They went from first degree murder to voluntary manslaughter and offered me fifteen years, and I refused because I didn’t murder my mother” (Gates). Michael chose his mother’s justice over his freedom. He’d rather sit in jail his entire life rather than falsely confessing to killing his own mother. Michael’s sister Melonie said, “If he would’ve taken the deal, he’d be out by now, but because he’s innocent he’ll be in there forever” (Gates). Aside from the attempted coercion, law enforcement lost crucial pieces of evidence such as Rita’s clothes and fingernails which could have contained crucial DNA towards Michael’s case. Law enforcement also failed to interrogate other possible suspects including Michael’s dad, who his sisters believe to be a prime suspect. His sisters even said that they’re father sent them a video of a husband blowing up his wife because he thought it was funny. Other witnesses claimed to have seen a man wandering in the field shortly before Rita was murdered but were too afraid to reveal the name of the suspect (“Trust”). Michael’s family also mentioned that “The person who was seen in the

field that morning had to know the area and the close proximity between the trailer and the school yard” (“Trust”). They also believe that their father fits the criteria.

Attempts have been made to free Michael Politte, but none have succeeded. The first failed attempt was the creation of social media pages. Politte’s sister Melonie created a *Facebook* page to share her brother’s tough situation. The *Facebook* page, however, contains very little activity and hasn’t had a post regarding Politte in several months. Past posts about the conviction of Michael Politte received minimal likes, comments, and shares and had no luck towards gaining supporters. A *Twitter* support page was created in 2016 with the same goal of spreading awareness. Since then, many tweets have been made, but they received minimal recognition. The *Twitter* page has been almost completely inactive since 2017 (Politte, “Free”). When the social media pages were being created, the cable television network *MTV* also took on the task of spreading news of Politte’s situation. Attorney Mark Emison said, “The *MTV* series made public many question marks surrounding the fire investigation and analysis used to convict Politte” (Emison). The documentary about Michael Politte’s case and the miscarriages of justice leading to his wrongful conviction reached a small audience but failed to grow into something lifechanging for Politte.

Another failed attempt towards the exoneration of Michael Politte was a petition on *Change.org*. This petition talked about Michael Politte’s case and asked the public for help towards getting him released from prison. Politte’s sister Melonie commented on the petition on behalf of her brother:

I have always known Mike was innocent of the atrocities committed against our mom. I find it reprehensible that the investigation of her murder came to this conclusion

without a single piece of solid evidence against Mike. The true perpetrator/s thinks they have gotten away with taking our mom from us, and they have for almost Eighteen years. Hopefully their days of being a free murderer on the streets are numbered. But in order to do that, we must get Mike cleared of these false charges. Only then will they re-open the investigation into her terribly brutal murder. Thanks to everyone who is fighting with us. (qtd. in "Josh")

Unfortunately, the petition has been closed for over a year and Melonie hasn't made a comment on it in three years. Politte's sister Crystal also made a comment on the petition three years ago. Crystal said, "This fourteen-year-old child was convicted on ASSUMPTION with NO DNA, NO Evidence, False Testimony, and NO proper investigation was done on this case" (qtd. in "Josh"). Although their comments were powerful and showed where they stand with their brother's conviction, they weren't strong enough to raise a substantial amount of awareness.

Other attempts to free Michael Politte have been made. Politte's father Ed forgot to file important paperwork towards an appeal for his son. Ed's ex-wife made a comment regarding Politte's case: "Ed hired an attorney to appeal Michael's case in an attempt to overturn Politte's conviction" (qtd. In Donnelly). She also mentioned that, "Ed forgot to file crucial paperwork, a mistake that ultimately killed the process" (qtd. In Donnelly). Family members claim that Ed purposely withheld the papers, but their claim has never been investigated. Another failed attempt was explained in a letter from Michael Politte. In Michael's letter he explains that he is no longer satisfied with the Midwest Innocence Project; the Midwest Innocence Project has possession of Politte's case file and have been representing him since he has been convicted.

Politte said, "I have been constantly misled and lied to about the progress of my case by Tricia Bushwell and the Midwest Innocence Project" (Politte). The Midwest Innocence Project hasn't made any progress regarding Politte's case and lost his confidence and trust. They also failed to file any appeals despite their promises to Michael Politte.

Aside from the many failed attempts, there might be a plan for Michael Politte to achieve exoneration. For this to happen, money needs to be raised to hire a new legal team to represent Michael since the Midwest Innocence Project is no longer needed. Politte will also receive a new judge and jury to eliminate all bias. A *Go Fund Me* page will be created to raise money while gaining support for his case, and videos explaining the story of an innocent man's conviction will be posted on social media sites to get the public's attention and consideration towards helping his situation. New evidence will also be provided since Politte's conviction was based on a very minimal amount. This new evidence includes new and proper fire identification. Tests showed that the 'gas' found on Politte's shoes was not actually gas and a milk jug near the crime scene (which was also considered to be filled with gasoline) was filled with petroleum distillate, which was not found on any piece of evidence. Mark Emison, an attorney who recognizes cases regarding fires, says, "The fire investigation and evidence presented against Politte at trial are central issues in his innocence case" (Emison). He also mentioned that, "Michael Politte's wrongful conviction is a disturbing example of the state taking a young man's life away because of tunnel vision and unreliable evidence" (Emison). Politte mentioned that he was, "Wrongfully convicted by the state of Missouri using false evidence and inaccurate testimony" (Politte). A new trial will give Michael Politte the chance to

explain himself using all the evidence available, and in front of a judge and jury who aren't already persuaded that he's guilty.

The court's reasoning for convicting Michael Politte was unjustified. There were minimal police reports and little to no investigation. The court pinned the murder on Michael Politte immediately and have been convinced ever since. The reason why he is in prison is because of the multiple miscarriages of justice and flaws in the system. Michael Politte did not murder his mother. "My name is Michael Politte also known as 1073549. I was fourteen years old when my mother was murdered, and I've been wrongfully convicted of her death. Some people might define that as hell. That's what it is. Cause if it can happen to a fourteen-year-old kid, man, who else could it happen to" (Gates). There is not one justifying piece of evidence that links Michael to the murder. The entire investigation is based on a faulty stress test, unreliable fire identification, a false confession, attempted coercion and lack of further investigation of the case or other possible suspects. "Not only did they victimize me, but they further victimized my mother to convict her own son of her death" (Gates). Michael Politte has been misled many different times, but he might finally have a chance to live his life as a free man. There's a plan to achieve a retrial to give Politte and a new legal team a chance to present all the evidence proving his innocence. This retrial is long-awaited but will give him and his mother the justice they deserve. The failed attempts towards Politte's exoneration have kept him in prison for eighteen years, but his time behind bars can hopefully come to an end. After a retrial, there should be an investigation to find the true murderer who put an innocent boy behind bars.

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