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Michael Politte: Wrongfully Convicted and Behind Bars

Children aren't perfect-they make mistakes, especially when things are hard at home. Michael Politte was one of those children. While his parents were going through divorce, he was known for getting into trouble. He was still just a kid. He had friends and did normal things like having sleepovers. On the night of December 5th, 1998, Michael and his friend Josh were having a sleepover. They were woken up by smoke, from a fire, the fire was coming off of the body of Michael's mother. Michael barely had any time to grieve the death of his mother because he became the number one suspect. Josh even denied the accusations of him or Michael committing the crime. Michael's mother suffered a terrible death and he was the one convicted of the horrendous crime. Although there has been many miscarriages of justice, a new plan can free Michael Politte.

Michael Politte was a troubled 14-year-old. He was the youngest of three children. He has two older sisters named Melonie and Chrystal. Michael's family was lived close to him. His aunt and uncle lived in the trailer next to them. His family described him as a small kid that wasn't capable of doing that to his mom. They also said he was too small to do something like that. He was known for making fireworks with his friend Josh ("Michael Politte"). He was also known for starting fires and just being involved in trouble. His family still considered him a good kid and was surprised

when he was charged with the murder of his own mother. During his trial, an attorney made claims of Michael smoking marijuana (“Local Murder”).

On the night of December 5th 1998 in Mineral Point Missouri, in Washington County, Michael Politte lost two things, his mother and his childhood. Michael was having a sleepover with his friend Josh. The boys woke up to smoke filling the room, Michael ran to his mom, Rita Politte’s room where he saw her on the floor, almost naked, covered in flames from the waist up. He ran next door to his aunt and uncle’s house where they called emergency services. His uncle ran inside of the trailer where he described the smell of her burning body as “a smell he couldn’t get out of his nose” (“Gates”). Michael’s sisters were called and informed around 6 a.m. Rita’s ex husband, Ed Politte, was notified at 7 a.m.. Once the fire was out, Michael barely had time to grieve his mother. He became the main suspect in his mother’s death. During the investigation police found that she was bludgeoned and set on fire. When the police arrived they immediately began to question both boys. Ryan Ferguson, a victim of wrongful imprisonment, now an advocate for wrongly convicted prisoners, stated, “According to the autopsy, Rita was knocked unconscious by a strong blow to the head” (“Gates”). Michael was interrogated for hours without a lawyer present. The police then gave him a voice stress analysis test. Michael failed it, which made him their prime suspect. Since fire was involved, the fire marshall brought in a dog that could smell fire excelerant. When it smelled Michael’s shoes it immediately began barking. The dog was able to find traces of gasoline on his shoes. Authorities believed that gasoline was used for the fire on Rita’s body.

Two days later Michael was taken into custody and put in a juvenile detention center. He went to his mother's funeral escorted by police officers in chains, wearing an orange jumpsuit. While he was in the detention center, he attempted to commit suicide. Officers stated that during his time in the center, Michael said "I haven't cared since December 5th. That's when I killed my mother." ("Gates"). Michael's trial began after his 18th birthday and he was tried as an adult:

At trial, the State relied on the allegation that the fire was caused by gasoline and that there was gasoline on Michael's shoes. A later review of this evidence reveals that information to be false. The State also relied on statements made by Michael, for example questions about whether or not police could determine how his mother died, and used these statements against him to argue guilt. Finally, the State alleged that Michael confessed to the crime during an incident at the juvenile detention facility. Video tapes of the incident were lost by the State prior to trial. Josh was never called to testify by the prosecution or defense, despite the fact that Josh corroborated Michael's version of events. Michael's Public Defender did no investigation of his own and did nothing to dispute the non fact based theory presented by the prosecution. On January 31st 2002, Michael was found guilty convicted of 2nd degree murder by a jury. On April 19th 2002, he was sentenced to life in prison ("Local Murder").

The twelve jurors barely utilized more than five hours to find Michael guilty of the accused crime. Michael later filed a motion because he was never read his miranda rights. He is now serving life in prison ("Michael Polittes's Story").

Despite the circumstantial evidence provided by the police and prosecutors, Michael Politte did not commit this crime. One miscarriage of justice was the unreliable fire pattern evidence. Despite the alleged confession, the next “strongest” piece of evidence was the fire pattern identification. The fire marshall claimed that the gasoline found on Michael’s shoes was the same liquid flame starter that was used on his mother. This information was found to be false because the gasoline was from the manufacturing company that made his shoes.

Another miscarriage of justice was the lack of evidence that the police had. They claimed that Michael confessed to killing his mom but there is no proof. There is no evidence of Michael’s alleged confession, no written statement, or video evidence. The prosecution offered him a plea deal because they knew that the “evidence” they had wasn’t strong enough, “Due to the lack of evidence in this case, shortly before the trial, Michael was offered a deal by the Prosecution. Voluntary Manslaughter with a 15 year sentence. Michael declined that offer due to his innocence” (“We Request”). Michael’s friend knew that he didn’t commit the crime and continuously informed the police of this “Michael’s friend Josh was offered immunity to admit he and/or Michael killed Rita. Josh never wavered from his original statement that they had nothing to do with Rita’s death” (“We Request”), One of the many failed attempts to help Michael Politte, was a T.V. series aired by M.T.V, called “Unlocking The Truth.” Ryan Ferguson, a wrongfully convicted man who was exonerated, started the series to create awareness that there are many people who are wrongfully imprisoned. During the show, family members, friends and neighbors of Michael Politte talked about how on the night of the murder,

eyewitnesses saw Michael's uncle on his father's side of the family near their home. His Uncle Johnny's truck was parked in a field near their house, and witnesses said that they even spoke to him and he informed them that Michael's mother was dead, even before firefighters arrived. Betty Nixon, a former neighbor of Michael and Rita Politte, says that "He said he saw Johnny Politte's truck, and he saw him walking across the field" ("Honey"), it was early morning and he had no reason being there. Johnny Politte was never looked into as a suspect. The show failed because it aired in 2016, and nothing has been done to help Michael. There hasn't been an update on him since then.

Another failed attempt was the Midwest Innocence Project. In a letter, Michael Politte writes that "I have been constantly misled and lied to about the progress of my case by Tricia Bushnell and the Midwest Innocence Project ! ... It would be a great relief for me to inform the Midwest Innocence Project that I no longer need their services" (Politte). Michael Politte has reached out to people and asked them to help him remove Midwest Innocence Project from his case. Instead of the Midwest Innocence Project helping him, he feels like they aren't doing anything. They claim to have more evidence that is supposed to help his case, yet nothing has been done. The Midwest Innocence project has failed because they took on Michael's case and nothing has been done to help him. No motions have been filed, and he claims that his attorney has been, "sitting here, with this evidence in my attorneys [her] hands for 3 [three] years" (Politte). There haven't been any new steps taken toward his freedom. Michael Politte expected them to help him get justice. He trusted them with his only chance at freedom. Michael's only other lawyer was a public defender who barely looked into his case. He saw the

Midwest Innocence Project as a new chance. He believed that they would be able to prove his innocence and get him released from prison. They failed to do that and he no longer wants their help.

More failed attempts were online petitions. A petition was made requesting "You Vacate Michael Politte's Conviction and Discharge Him From Custody" ("We Request") the petition had over 6,315 supporters. This may have failed because of what they were asking for. They were expecting him to be set free. Instead they could have asked the court take another look at his case. His family also set up social media support pages on *Facebook* and *Twitter*. Many people didn't follow them so his story wasn't getting out there, therefore his support team remained small. On the social media pages they attempted to sell merchandise such as shirts and hoodies. These attempts were also unsuccessful. The social media attempts failed because enough people weren't involved and Michael's story wasn't given the attention that it needed. Michael's father, Ed Politte, was supposed to file an appeal on his behalf, which required his signature. Ed claimed that he had forgotten to sign the paper. This caused Ed and Michael to no longer have communication with each other ("Ain't No"). The attempted appeal failed because it was never returned to the lawyer so it was never filed.

Despite the failed attempts, there may be a new plan to free Michael Politte. The first steps will include raising awareness about his case. This can be achieved by doing a sit-in, outside of the prison where Michael Politte is serving his life sentence. During the sit-in selling shirts and food items such as cupcakes that have his name on them will bring more awareness. In order to get more people to attend the sit in, it will be

mentioned on the news and then spread throughout social media. There will also be megaphones there to help bring attention so the people can be heard. People attending the sit-in should create a chant to shout into the megaphone so everyone will know why they're out there. Posters with his name, the injustices that occurred in his case, and pictures of him and his mother should be held up and sold at the sit-in. Other ways to raise awareness is to walk to homes in the community informing them on what they're doing and asking them to join.

The next step will include raising money. Michael will need money for a new legal team. The legal team will have to be good. His public defender didn't do a good job defending him during his first trial, and the lawyers from the Midwest Innocence Project have also been no help. They will also need to hire experts to speak on the behalf of Michael to prove that the fire evidence was false, that the public defender didn't really do a good job, and that the gasoline evidence, the strongest piece of evidence used against him, was proven to be false. Money can be raised by donations, like a go fund me account, events held in his name such as cookouts, and small concerts. They can also have booths in his honor at popular local events.

In order for Michael to get the retrial that he deserves, new evidence to prove his innocence has to be provided. There will be new testimonies from the eyewitnesses that saw his uncle, and experts to help prove that the information provided in the first trial was false. They should also use testimonies that were provided in the first trial:

Now, Detective Davis, knowing this was a homicide, it's very important to know what he did not observe. He did not observe blood anywhere on this child.

Nowhere did he observe blood. It wasn't on his head. It wasn't on his face. It wasn't on his ears. Didn't see any under his fingernails or on his hands. Didn't see any on his arms or his legs or feet or chest. And he didn't see any blood stains on this boy's clothes. Nothing. He also didn't smell gasoline. He didn't smell nothing on this boy, not one thing was out of line with this child (William's opening statement).

On the night of December 5th, this is what the Detective admitted, and they still chose to prosecute Michael Politte. There wasn't any solid evidence that connects him to his mother's death, they didn't find a murder weapon, and they don't have any proof of a confession. His new trial should also be moved to a new court district because the town is small and everyone knows information about the case, so in order to give him a fair chance he will need an unbiased jury. More evidence has come to light and with a new trial they may be able to exonerate Michael Politte for allegedly murdering his mother, a crime he has denied committing for over eighteen years.

Michael Politte has spent over seventeen years in prison and a juvenile detention center for the horrendous murder of his mother. Michael was just a fourteen year old boy who did get in trouble, but he wasn't capable of murder. The evidence that put him behind bars was circumstantial and weak. His family believes that he is innocent. Based on the evidence that was provided, Michael has been wrongfully convicted while his mother's true killer has gotten away with it. His friend was offered immunity and he still stuck to his story. The lack of investigation is allowing Rita's murderer to roam free while her son continues to suffer.

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