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Wrongfully Convicted of his Mother's Murder at 14 Years Old, Michael Politte Files Petition of Innocence After 20+ Years in Prison

Only physical evidence leading to conviction has been scientifically proven false

MISSOURI - Michael Politte was 14 years old when he woke to the smell of smoke and found his mother dead and on fire in their home. Today, after growing up behind bars over the past 23 years, [he files a habeas corpus petition](#) alleging state misconduct and asserting his innocence and asking for release.

"How did I end up in prison? Because this judicial system is overseen by flawed human beings who do not want to admit they got anything wrong. They do not want to admit that they wrongfully convicted a 14 year old for murdering his own mother," stated Michael Politte.

[You can hear from Michael directly here \(short video\).](#)

The only physical evidence that ever allegedly connected Michael to this crime - the presence of gasoline on his shoes - has now been proven false. Today, even the State concedes the evidence is false. It has been scientifically proven that what was thought to be gasoline was in fact an aromatic solvent used in the manufacture of tennis shoes. And the State admits that it should have known it was false when Mike went to trial. Yet, the State presented the evidence to the jury as if it was infallible, scientifically certain evidence. Michael is entitled to be released on this basis alone -- his conviction rests on false evidence and the State knew it.

The State's trial theory was that the false gasoline evidence tied Michael to the crime because the Fire Marshall claimed it was certain the fire was ignited with gasoline. But the Fire Marshall violated controlling standards for fire investigations in finding the fire was incendiary and started with an accelerant like gasoline. Paul Bieber, a Certified Fire and Explosion Investigator has concluded that "there is simply no evidence to support" the Fire Marshall's opinion that an accelerant was used at all.

"At trial, the State repeatedly told the jurors that the fire was started by gasoline and that testing proved gasoline was on Michael's shoes," said Mark Emison, a partner at Langdon & Emison and co-counsel for Mr. Politte. "Science proves the State's evidence was false, and now nearly 20 years after the trial, the State finally admits the evidence was false."

Even before the State's evidence was scientifically disproven, the case against Michael was flimsy from the start. At 14, Politte was immediately targeted by police; he was the only family member home at the time and he did not act the way police thought he should. Within hours of his mother's death, the 14-year-old was interrogated multiple times, by four different law enforcement officers, over the course of the next 48 hours, without sleep, an attorney or the assistance of an impartial adult.

Instead of the traumatized child he was, police decided Michael was a "remorseless, cold-blooded killer", a description they would later use against him in court. But science has long since proven that children's brains and behavior, as well as their trauma responses, are different from those of adults. A clinical and forensic psychologist has confirmed that Politte's behavior was not at all abnormal for a child experiencing extreme trauma. Yet, police interpreted his behavior as evidence that he was a guilty liar, paving the way for his wrongful conviction.

"Mike's case is the story of a kid, who police wrongly targeted from the outset because they did not understand him. They did not get that kids are different and they did not realize what severe trauma can look like in a kid." said Megan Crane, Co-Director of the MacArthur Justice Center's Missouri office, which represents Politte. "The police's misjudgment of a traumatized kid as a remorseless, cold-blooded killer paved the way for his wrongful conviction. As a result, a kid grew up behind bars due to the state's ongoing refusal to admit a mistake."

Witnesses consistently corroborated Michael's innocence, including the victim's whole family. Yet, three days after his mother's death, Politte was placed in police custody. He has been behind bars ever since.

At the same time that the State relied on false evidence to convict Politte, they were actively ignoring substantial evidence that pointed to other viable suspects and would have cast clear doubt for a jury.

“For me, the most difficult thing about being in prison is waking up every day in prison, knowing the person who did this crime wakes up every day and does not give it a second thought,” said Mr. Politte. Justice for my family would mean my release and an investigation into my mother’s murder. My mother is not at peace. She will only be at peace once I am released.”

In addition to detailing the substantial evidence supporting Politte’s innocence, the petition identifies several clear constitutional violations. The State’s knowing reliance on false evidence is a clear violation of Politte’s due process rights. Furthermore, defense counsel’s failure to challenge the arson and accelerant evidence amounts to ineffective assistance at trial, in violation of his Sixth Amendment right to counsel.

Politte has consistently maintained his innocence. In fact, four years after his arrest, while detained and awaiting trial, he was offered a sweetheart deal by prosecutors that would have secured him release shortly. He refused - unwilling to admit guilt to a crime he did not commit. His family, including his two sisters who also lost their mother, have always maintained his innocence.

“Michael and his sisters have never been able to grieve their mother because they have been fighting for Michael’s freedom ever since the day she died. It is far past time for justice for Rita Politte, for Michael, and for his family, ” said Rachel Wester, Managing Attorney at Midwest Innocence Project, who has represented Mike since 2014.

Michael Politte’s case is one of the first to come forth from the recently formed partnership between the Midwest Innocence Project and the MacArthur Justice Center aimed at overturning wrongful convictions in Missouri and beyond. The filing comes at a time when a national spotlight has been focused on the state’s persistent inaction towards wrongful convictions.

About the MacArthur Justice Center

The [Roderick and Solange MacArthur Justice Center](#) is a public interest law firm advocating for human rights, and racial and social justice through litigation. The MacArthur Justice Center represents individuals and organizations across the country. It pursues cases focused on challenging systemic injustice within the criminal legal system, including mass incarceration, police abuse, and the punishment of poverty, and protecting the rights of prisoners, parolees, immigrants, voters and protesters. MacArthur currently operates offices in Illinois (in partnership with the Northwestern Pritzker

School of Law), Louisiana, Mississippi (at the University of Mississippi School of Law), Missouri and Washington D.C.

About the Midwest Innocence Project

The [Midwest Innocence Project](#) is a not-for-profit corporation representing people convicted of crimes they did not commit in Missouri, Kansas, Arkansas, Iowa, and Nebraska, and working to change the system to prevent wrongful convictions in the first place. The MIP is a member of the Innocence Network, an affiliation of 68 similar organizations around the world, and is a distinct and separate organization from the Innocence Project connected with the Cardozo School of Law in New York. For more information, please visit www.themip.org.

About Langdon & Emison

[Langdon & Emison](#) is recognized as one of the nation's leading law firms, having taken on some of the world's largest corporations in personal injury litigation. With offices in Lexington and Kansas City (Mo.), St. Louis and Chicago, the firm represents injured people and their families in courtrooms from coast to coast. During 30 years of practice, the firm has earned a national reputation as a leader in auto defect cases, trucking cases and a full array of personal injury litigation.