

Mississippi throws out murder conviction of death row inmate Michelle Byrom

By Matthew MacEgan
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In a rapid turn of events on Monday, the Mississippi Supreme Court threw out the murder conviction of Michelle Byrom, a 56-year-old woman who was sentenced to death in 1999 for “masterminding” the murder of her husband and who was scheduled to be executed by the state’s attorney general’s office last Thursday. Widespread doubt has arisen since the time of Byrom’s conviction, due to the fact that her son has admitted to the murder on multiple occasions, a fact that the prosecutor and the judge reportedly sought to keep secret.

While the court stated that its decision to throw out the 15-year-old conviction is extraordinary, so too are the circumstances surrounding the death sentence of Byrom. Her attorneys report that she was both sexually and physically abused from a very young age, including during her marriage to her husband, Edward. At the time of his murder, Byrom was being treated in a nearby hospital for walking pneumonia.

Officials accused Byrom of paying Joey Gillis, a friend of her son Edward Jr., \$15,000 to kill her husband, who was shot in the head. Edward Jr. and Gillis were both convicted of lesser crimes and were subsequently released. However, Byrom’s son admitted in jailhouse letters that it was he who was responsible for the killing of his father. One of the letters, published in the Jackson Free Press, included the following:

“As I sat on my bed, tears of rage flowing, remembering my childhood my anger kept building and building, and I went to my car, got the 9mm, and walked to his room, peeked in, and he was asleep. I walked about 2 steps in the door, and screamed, and shut my eyes, when I heard him move, I started firing.”

Although this admission was corroborated by a psychologist, the jurors were never provided with these

letters. Prosecutor Arch Bullard told reporters that he was absolutely certain that Byrom was the mastermind behind the entire plot.

The prosecution has now been the recipient of national criticism, including statements from legal analysts who point out that evidence was not only kept from jurors, but from the defendant herself, both by the prosecution and the trial judge. Legal analyst Andrew Cohen has stated, “Dealing with codefendants, prosecutors played a form of musical chairs with the facts and with the charges.”

As the date for Byrom’s execution approached, her representatives made an appeal to the Mississippi Supreme Court to postpone the day of execution and review the conviction. While the high court did not give specific reason for the reversal of the conviction, it stated that the appeal was “well taken and should be granted.”

Byrom is not the only death row inmate to have her case reexamined. Since 1989, when data for exonerations began to be collected, 1,304 inmates have been absolved. 87 of those were from the year 2013 alone, in which 31 percent were in cases where no crime had actually occurred and 17 percent in cases where the defendant pleaded guilty. The 87 were only two percent of the entire population on death row nationally, which totaled 3,095 in 2013.

Samuel Gross, a professor at the University of Michigan Law School and author of a report released in February by the National Registry of Exonerations, explained the impact of these wrongful convictions: “They’ve lost 10 years, or in some cases, 30-some years of their life. Their children have grown up if they had children, their spouse may have left them, their parents may have died, they have no skills. For many people, the destruction that has occurred is

irreparable.”

Byrom’s case was ordered back to Tishomingo County to be assigned to a new trial judge.

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