

BREAKING NEWS: *The Texas Court of Criminal Appeals has just issued a Stay of Execution for Melissa Lucio and ordered the 138th Judicial District Court of Cameron Country to consider new evidence of her innocence in the death of her daughter, Mariah.*

Melissa Lucio made the following statement and her attorneys made the statements further below.

Melissa Lucio Statement:

“I thank God for my life. I have always trusted in Him. I am grateful the Court has given me the chance to live and prove my innocence. Mariah is in my heart today and always. I am grateful to have more days to be a mother to my children and a grandmother to my grandchildren. I will use my time to help bring them to Christ. I am deeply grateful to everyone who prayed for me and spoke out on my behalf.”

-- Melissa Lucio

-- April 25, 2022

Tivon Schardl, Capital Habeas Unit Chief of the Federal Defender for the Western District of Texas and one of Melissa’s attorneys, made the following statement:

“We know that Melissa’s children—Mariah’s brothers and sisters—and Mariah’s grandparents, aunts and uncles are all relieved and grateful that Melissa’s life will not be taken by the State of Texas. And we believe the court honored Mariah’s memory because Melissa is innocent. Melissa is entitled to a new, fair trial. The people of Texas are entitled to a new, fair trial. Texans should be grateful and proud that the Court of Criminal Appeals has given Melissa’s legal team the opportunity to present the new evidence of Melissa’s innocence to the Cameron County district court.

“We are profoundly grateful to the hundreds of thousands of Texans and people around the U.S. and the world who advocated for Melissa, including Representatives Jeff Leach and Joe Moody, Senator Eddie Lucio, and more than 100 Texas legislators; 225 anti-domestic violence/sexual assault organizations, including the Texas Council on Family Violence, the Texas Association Against Sexual Assault, Friendship of Women, and the Lone Star Justice Alliance; over 130 faith leaders, including Pastor Jesse Rincones of the Hispanic Baptist Convention of Texas; and more than 30 groups that work on behalf of Latinos, including the National Hispanic Caucus of State Legislators.”

-- Tivon Schardl, Capital Habeas Unit Chief of the Federal Defender for the Western District of Texas

-- April 25, 2022

Vanessa Potkin, Director of Special Litigation at the Innocence Project and one of Melissa's attorneys, made the following statement:

"The Court of Criminal Appeals did the right thing by stopping Melissa's execution. Medical evidence shows that Mariah's death was consistent with an accident. But for the State's use of false testimony, no juror would have voted to convict Melissa of capital murder because *no murder occurred*.

"It would have shocked the public's conscience for Melissa to be put to death based on false and incomplete medical evidence for a crime that never even happened. All of the new evidence of her innocence has never before been considered by any court. The Court's stay allows us to continue fighting alongside Melissa to overturn her wrongful conviction."

-- Vanessa Potkin, Director of Special Litigation at the Innocence Project
-- April 25, 2022

Prof. Sandra Babcock, Director of the Cornell Center on the Death Penalty Worldwide and one of Melissa's attorneys, made the following statement:

"Melissa's life matters. The Court's decision paves the way for Melissa to present evidence of her innocence that should have been heard by the jury that condemned her to death fourteen years ago. As a survivor of childhood sexual abuse and intimate partner violence, and now locked away for these past 15 years, Melissa's voice and experiences have never been valued. The Court's decision signals its willingness to finally hear Melissa's side of the story. If the district court hears all the evidence of Melissa's innocence, and the gender bias that infected the police investigation and prosecution, we are confident she will return home to her family."

-- Professor Sandra Babcock, Director of the Cornell Center on the Death Penalty Worldwide
-- April 25, 2022

The Court's Stay Order re: Application for Post-Conviction and Habeas Petition:
<https://tinyurl.com/42h4zb6n>

Melissa Lucio's First Subsequent Application for Writ of Habeas Corpus can be viewed here:
<https://tinyurl.com/2paxuabx>

For more information, please contact: Laura Burstein at laura.burstein@squirepb.com. Melissa Lucio's case summary follows:

Melissa Lucio Case Summary

A Victim of Sexual Abuse and Domestic Violence Wrongly Convicted and Condemned to Die for the Accidental Death of Her Daughter

Case Status

On March 22, 2022, attorneys for Melissa Lucio submitted an application for clemency to Governor Greg Abbott and the Texas Board of Pardons and Paroles. New evidence in the application that the jury never heard shows that Melissa, a victim of sexual abuse and domestic violence, was wrongly convicted and condemned to die for the accidental death of her daughter, Mariah. On April 12, 2022, Melissa's attorneys submitted a supplemental clemency application, which included a new declaration from a fifth juror -- Melissa's jury foreperson -- who joined the calls of four other jurors and an alternate juror to halt Melissa's execution or grant her a new trial where new evidence of her innocence can be considered. Melissa's application for clemency is pending. The Board is expected to consider Melissa's clemency application and make a recommendation to the Governor on April 25, 2022.

On April 15, 2022, Melissa's attorneys filed a 242-page application for a writ of habeas corpus asking the Texas Court of Criminal Appeals to stay her scheduled April 27, 2022 execution and vacate her conviction and death sentence. The filing represents the first time any court will have the opportunity to consider the new scientific and expert evidence showing that Melissa's conviction was based on an unreliable, coerced "confession" and unscientific false evidence that misled the jury. This application is pending before the Court of Criminal Appeals and other litigation is pending in the federal courts. Links to these materials are below:

Clemency Application: <https://tinyurl.com/f5jx4wzt>

Clemency Exhibits Volume I: <https://tinyurl.com/2p92tzrf>

Clemency Exhibits Volume II: <https://tinyurl.com/45vrbjhn>

PDF of Table of Contents/Index: <https://tinyurl.com/msfkzyhw>

Supplemental Clemency Application: <https://tinyurl.com/2s39jsah>

Supplemental Clemency Exhibits: <https://tinyurl.com/24sa5auc>

First Subsequent Application for Writ of Habeas Corpus: <https://tinyurl.com/2paxuabx>

On February 8, 2022, a Motion to Withdraw or Modify the Execution Date was filed by Melissa's legal team with the Cameron County District Court. If he chose to, the Cameron County District Attorney, Luis Saenz, could ask the Court to grant that motion. Also, there are four stay motions pending in the CCA that D.A. Saenz could support or declare no opposition to.

Case Summary

Melissa Lucio, a Mexican-American who is facing execution in Texas on April 27, 2022, was wrongfully convicted and sentenced to death after her daughter, Mariah, sustained injuries from an accidental fall. Although Melissa repeatedly told the police that she did not kill her daughter, they continued to interrogate her for five hours until she agreed, falsely, to take responsibility for some of her daughter's injuries.

Melissa suffered a lifetime of sexual abuse and domestic violence, which made her especially vulnerable to the police's coercive interrogation tactics. Melissa had no history of violence, but her husband, Mariah's father, was found guilty of child endangerment and sentenced to [four years](#), even though he had a [history](#) of assaultive behavior.

Struck by the sentencing disparity and grave doubts about the reliability of Melissa's conviction, [a bipartisan group](#) of more than 80 members of the Texas House of Representatives and a [bipartisan group](#) of 20 members of the Texas Senate oppose Melissa's execution. Hundreds of Texas anti-domestic violence groups, Baptist, Evangelical and Catholic leaders, Latino organizations, exonerees of wrongful convictions, and Melissa's children are urging the Texas Board of Pardons and Paroles and Governor Abbott to grant Melissa clemency.

Melissa's execution would cause further suffering for her children who lost their sister 15 years ago. It would also be the first execution of a Latina in the United States since the resumption of the death penalty in the 1970s.

Clemency Application Cites New Evidence Supporting Melissa's Innocence Claim

On March 22, 2022, Melissa's attorneys submitted an application for clemency to the Governor and the Board of Pardons and Paroles which includes the declarations of **seven nationally recognized experts**, including experts in false confessions and medical and forensic experts, who have reviewed the evidence and concluded that Melissa's conviction was based upon:

- (1) an unreliable "confession" that is essentially a mere "regurgitation" of facts and words officers fed to her during the five hour interrogation, and
- (2) unscientific, false evidence that misled the jury into believing that Mariah must have been killed by physical abuse, when the evidence is actually consistent with a conclusion that Mariah died from medical complications after a fall.

The application also documents that Melissa asserted her innocence **more than 100 times** over five hours of the coercive interrogation.

In addition to the new forensic analyses, the clemency application includes declarations from **five jurors** stating they have grave concerns about evidence withheld from them at Melissa's capital trial and would support relief. An additional juror, an alternate who heard the evidence, but did not join deliberations, also submitted a declaration supporting relief for Melissa.

The District Attorney, the courts, the Texas Board of Pardons and Paroles, and the Governor must undertake a meaningful review of Melissa's case. That review can only happen if the execution date is withdrawn or stayed.

A Rush to Judgment After a Tragedy

On February 15, 2007, as Melissa was moving her family to a new home, Mariah fell down a steep outdoor staircase leading to their apartment. After the fall, Mariah's injuries did not appear life-threatening, but two days later she fell asleep on her parents' bed and did not wake up. Mariah had physical disabilities that made her walking unstable and she had a history of falls, including a recent fall at a preschool program where she lost consciousness. At the time of her arrest, Melissa had no history of abusing her children or violence of any kind. (App. at pp. 2, 10-12.)

Two hours after Mariah's death, Melissa -- grieving and in shock -- was hauled into an interrogation room where, for over five hours, armed, male police officers stood over her, yelled at her, threatened her, berated her parenting, and repeatedly refused to accept anything less than an admission to causing her daughter's death. Melissa was especially vulnerable to the aggressive, intimidating, and psychologically manipulative interrogation tactics of the police and male authority figures due to her history of abuse, trauma, low IQ, and abnormally high levels of suggestibility and compliance. (App. at pp. 15-17.)

After hours of continuous interrogation, Melissa acquiesced, followed their directions, and gave in to their demands. She was sleep-deprived -- it was early in the morning by then -- and pregnant with twins, emotionally and physically exhausted by the threats and manipulation. (App. at pp. 15-17, 39.)

Two experts on false confessions (including police trainer and interrogation expert, David Thompson, and Dr. Gisli Gudjonsson, one of the world's leading experts on false confessions) have analyzed Melissa's interrogation and concluded that her admissions are "unreliable" and simply a "regurgitation" of the words and facts that interrogators fed to her throughout a highly coercive interrogation process. (App. at pp. 16, 39-42.)

Lacking physical evidence or eyewitnesses connecting Melissa to Mariah's death, Cameron County District Attorney Armando Villalobos -- who is now serving a 13-year federal sentence for bribery and extortion -- characterized Melissa's acquiescence during the interrogation as a "confession" to murder. (App. at p. 19.)

Mariah's Death Was Declared a Murder Before the Autopsy Even Began

The application states: "[The State's Medical Examiner] Dr. Farley, who was told going into autopsy that Melissa had 'confessed' to abusing Mariah, and who was accompanied in the autopsy suite by two of the interrogating officers, assumed everything she observed was evidence of abuse and ignored all evidence to the contrary." (App. at p. 20.)

At Melissa's trial, the jury was told that Mariah's injuries could only be explained by child abuse and complications from an accidental fall were impossible. That testimony was false. Dr. Farley failed in her duty to rule out nonviolent medical explanations for Mariah's condition before rushing to agree with law enforcement's judgment of abuse. (App. at pp. 19-20, 28.)

Seven experts, including nationally recognized medical and forensic scientists, have now reviewed the evidence in Melissa's case. Dr. Michael Laposata, the chairman of the Department of Pathology at the University of Texas Medical Branch at Galveston, concluded that at the time of her death Mariah had indications of Disseminated Intravascular Coagulation (DIC), a disorder that causes extensive bruising following a head trauma, like the injury that Mariah suffered from her fall, or an infection. (App. at p. 21.)

As Dr. Laposata stated in his declaration, DIC can cause profound bruising throughout the body with no trauma whatsoever. "In patients with DIC, routine handling at home or in a hospital setting can cause significant bruising. It is not possible to tell the difference between a bruise from DIC and a bruise from abuse." (Exhibit 6 at p. 2.)

Dr. Janice Ophoven, a pediatric forensic pathologist, concluded that Mariah's autopsy indicates she was in DIC at the time of her death. Her records also show she had a persistent high fever, and was sufficiently dehydrated to experience shock. The application states: "[S]teeped in extrinsic, biasing information, [Dr. Farley] failed to review any of Mariah's medical history to look for any explanation or contributing cause to her injuries, conduct any basic laboratory tests to diagnose a coagulation disorder, or even perform simple testing to confirm the presence of infection or sepsis." (App. at p. 28.)

Dr. Harry Davis, the doctor responsible for Mariah's emergency room care, explained in his [affidavit](#) that it is highly unusual to see a child with an elevated temperature when the child died

of trauma. As a result, he does not believe that Mariah died of abuse. Dr. Davis was the attending physician in the Valley Baptist Emergency Room on February 17, 2007, and he was the primary physician responsible for Mariah's care. Despite treating Mariah and declaring her time of death, no one interviewed him about his observations of Mariah's condition. (App. at 21.)(Exhibit 8 at p. 2.)

Five jurors who served on the jury that sentenced Melissa to die and one alternate juror have expressed grave concerns about the evidence that they were not allowed to hear. Juror Johnny Galvan stated that "[t]he fact that you can't pinpoint what caused Mariah's death means that [Melissa] shouldn't be executed." Juror Alejandro Saldivar stated, "I think if I heard this evidence I may have decided differently." (App. at p. 3.) Melissa Quintanilla, who was the foreperson of the jury, stated: "I was disheartened to learn that there was additional evidence that was not presented at trial. I believe that Ms. Lucio deserves a new trial and for a new jury to hear this evidence. Knowing what I know now, I don't think she should be executed." (Supp. App. at p. 11. Supp. Exhibit 13 at pp. 2-3.)

Melissa's Lifetime of Sexual Abuse and Domestic Violence Made Her Especially Vulnerable to Coercive Interrogation Tactics

Melissa's uncle and stepfather sexually abused her over a period of years, starting when she was six years old. She told her mother, but nothing was done. As a young teenager, she was raped again by an adult man. (App. at p. 44.)

At age 16, Melissa got married, becoming a child bride, to escape the abuse she suffered and witnessed in her childhood home. (App. at p. 45.) Melissa's first husband was a violent alcoholic, according to testimony at trial (App. at p. 45.) He abandoned Melissa after she gave birth to five children. Melissa's next partner continued the cycle of violence and abuse. She had seven children by her second husband. He beat Melissa, choked her, threatened to kill her, and repeatedly raped her. Some of Melissa's [children](#) also reported that he struck them. (App. at pp. 45-47.)

The family sunk deeper into poverty and was intermittently homeless. Melissa worked cleaning houses and sought other jobs when she could. Her partner Robert was jailed for months at a time. By the time Melissa was 35, she was struggling with abuse, cognitive and psychological impairments, addiction, and poverty. She had given birth to 12 children and suffered multiple miscarriages. (App. at p. 9.)

Melissa's supplemental application for clemency includes the reports of two experts in clinical psychology, Dr. Bethany Brand and Dr. Lucy Guarnera, who, respectively, explain how Melissa's history of childhood sexual abuse and domestic violence made her uniquely vulnerable to the

pressure tactics used in the police interrogation and explain the recent evolution of scientific research linking trauma, like Melissa endured, to false confession risk. Dr. Brand notes that Melissa “endured a truly horrendous level of extreme and frequent childhood sexual abuse.” Dr. Brand concludes, “[t]he paramedics and detectives who opined that Melissa did not show as much emotion as they thought a mother should show had no awareness of her complex history of trauma, her severe mental illnesses, nor that Melissa had survived daily abuse and degradation by dissociating and suppressing strong emotion.” (Supp. App. at p. 5. Supp. Exhibit 2 at 16.)

Dr. Guarnera, an Assistant Professor of Psychiatry and Neurobehavioral Sciences at the University of Virginia School of Medicine, explains new scientific research, not available at the time of Melissa’s trial, on the link between trauma and false confessions. Dr. Guarnera notes that “the dynamics of the Reid techniques of police interrogation [which were used during Melissa’s interrogation]—particularly when the interrogation is carried out by male police officers—mirror precisely the dynamics of intimate partner violence.” (Supp. App. at p. 5. Supp. Exhibit 6 at 4.)

In addition, Dr. Guarnera provides critical information about how the factors leading to Melissa’s wrongful conviction are reflected in the national data on wrongful convictions of women accused of killing children. Dr. Guarnera cites a 2014 analysis of the National Registry of Exonerations that indicates “women are nearly twice as likely as men to be wrongfully convicted of child homicide (30% vs. 16%), and three times as likely as men to be wrongfully convicted of crimes that never occurred (63% vs. 21%). In over half (56%) of these no-crime exonerations of women, the supposed victims were children. Further, in one out of seven formal exonerations of women, the woman was accused of murdering a child who in reality died of an unrelated accident or undiagnosed pathology.” (Supp. App. at p. 6. Supp. Exhibit 6 at 5.)

Melissa’s Statements Have the Hallmarks of a False Confession

Over five hours, Melissa asserted her innocence 86 times verbally and 35 times non-verbally (shaking her head), but police refused to accept any response that was not an admission of guilt—suggesting to Melissa that the interrogation would not stop unless she told them what they wanted to hear. (App. at p. 15.) While the vast majority of interrogations last 30 minutes to up to two hours, interrogations that elicit confessions later proven false last much longer. “[T]he length of Melissa’s nighttime interrogation further increased the risk that she would falsely incriminate herself.” (App at pp. 16, 36-37.)

The interrogating officers used manipulative, psychological techniques known to cause false confessions and disregarded Melissa’s multiple vulnerabilities, including her shock and grief over her daughter’s death hours earlier, physical and emotional exhaustion, sleep deprivation, her high levels of suggestibility and compliance, and low IQ. (App. at pp. 37-39.) According to experts, Melissa’s lifetime of sexual abuse, starting at six years old, and domestic violence at the

hands of two partners, made her extremely vulnerable and susceptible to falsely confessing during an interrogation by male police officers, some armed. One detective yelled at her: “[i]f I beat you half to death like that little child was beat, I bet you you’d die too.” (App. at pp. 35, 42-47.)

Doctor Gisli Gudjonsson, one of the world’s leading experts in false confessions, and David Thompson, an expert from one of the nation’s top interrogation training schools, have reviewed the record of Melissa’s case and determined that Melissa “was relentlessly pressured and extensively manipulated” throughout the many hours of interrogation and her statements bear the hallmarks of a coerced-compliant false confession. (App. at pp. 15-16.)

Dr. Gudjonsson concluded that Melissa’s case presents a “very high” risk of false confession and in his “extensive forensic evaluation of cases of disputed confessions internationally, the number, severity, and combination of the risk factors involved during the lengthy interrogation are exceptional.” (App. at 16.) He further explained Melissa’s “history of negative/traumatic life events is associated with increased level of suggestibility, compliance, and false confession . . . because trauma significantly reduces the *resilience* of the trauma victims to cope with *interrogative pressure*.” (App. at p. 37.)

Mr. Thompson noted, “[r]epetitive threats combined with promises or suggestions of leniency are known to incentivize innocent subjects to confess. These tactics, alongside Ms. Lucio’s susceptibility and her state of mind in a lengthy interrogation shortly after her daughter’s death, are known to have a substantial psychological impact on a subject’s decision-making” and found her statements are a result of fact-feeding or other tactics used by investigators. (Exhibit 11 at pp. 5-6.)

False confessions elicited by guilt-presumptive police interrogations—like the interrogation at issue here—are a primary cause of wrongful conviction in the United States. Of the 67 women listed on the National Registry of Exonerations who were exonerated after a murder conviction, over one quarter (17/67) involved false confessions and nearly one third (20/67) involved child victims.

What the Jury Never Heard

Melissa’s supplemental application for clemency includes a declaration from David Faigman, Chancellor and Dean of the University of California Hastings College of Law, who served as a Senior Advisor to the President’s Council of Advisors on Science and Technology’s Report, “Forensic Science in Criminal Courts: Ensuring Scientific Validity of Feature-Comparison Methods,” who concludes that “it was an abuse of the trial court’s discretion to permit Ranger Escalon to testify regarding his ability to determine Ms. Lucio’s guilt or innocence by

interpreting her facial expressions and demeanor.” (Supp. App. at pp. 6-7. Supp. Exhibit 3 at 2.) Professor Faigman further concludes, “[t]he prejudicial nature of this error was compounded by the fact that the substance of the scientific testimony in question was false as a *matter of neuroscientific consensus*.” (Supp. App. at p. 7. Supp. Exhibit 3 at p. 2) (emphasis added).

The jury never heard how Melissa’s [history](#) of trauma and abuse shaped her reactions immediately following her daughter’s death. Without that context, the jury convicted Melissa of capital murder. (App. at p. 13.)

Melissa’s trial attorneys were not prepared for the penalty phase of the trial. Lead counsel hamstrung his mitigation specialist and expert until weeks before the trial began. As a result, Melissa’s mitigation specialist never completed her investigation and the jury never learned about the extent of Melissa’s history of child sexual abuse and domestic violence.

The omission of this mitigating evidence was particularly damaging because the prosecution had a weak case for death. Melissa had no prior record of violence and the State’s sole evidence of future dangerousness was the death of Mariah and a prior conviction for driving under the influence. (App. at p. 62.)

So Far, the Courts’ Hands Have Been Tied

A majority of judges have agreed that the trial court was wrong to exclude the psychologist’s expert testimony, which would have provided an explanation for Melissa’s acquiescence during the coercive interrogation. “The State presented no physical evidence or witness testimony establishing that [Melissa] abused Mariah or any of her children, let alone killed Mariah,” seven Fifth Circuit judges wrote. By excluding expert explanations for Melissa’s remarks during her interrogation, the trial court wrongfully barred Melissa’s right to present her defense. (App. at p. 13.) But a divided Fifth Circuit believed that current federal law cuts off the courts’ ability to correct this injustice.

On February 18, 2022, the Inter-American Commission on Human Rights (IACHR) issued a resolution calling on officials not to execute Melissa before the Commission has had an opportunity to reach a final decision in her case. The Commission considered the evidence that Melissa’s “life was shaped by physical, emotional, and sexual abuse,” and that the same experiences shaped her response to a coercive interrogation.

Gender Bias Affected Melissa’s Investigation and Prosecution

Melissa regrets not getting medical care for Mariah earlier, but she is not guilty of murder. Her husband, Mariah’s father, was found guilty of child endangerment and sentenced to [four years](#),

even though he had a [history](#) of assaultive behavior. At most, a charge of neglect was more appropriate for Melissa than murder. (App. at p. 3.)

Corrupt Cameron County DA Villalobos personally led Melissa's prosecution. In 2007, in exchange for a bribe, he enabled the release and flight from justice of [Amit Livingston](#), a man who had killed his estranged girlfriend. As DA Villalobos was scheming to facilitate the release of this male batterer, he was pursuing the death penalty against a woman who was a lifelong victim of sexual abuse and domestic violence. Former DA Villalobos is now serving a [13-year federal sentence](#) for bribery and extortion. (App. at p. 19.)

Melissa's supplemental application for clemency states, "[f]rom the moment they arrived at the scene of Mariah's death, police and first responders formed judgments about [Melissa] that were rooted in their perceptions of how a grieving mother should behave. These visceral impressions led them to target her as a suspect even before they had gathered any evidence in the case." (Supp. App. at p. 7.) In contrast, they treated Robert Alvarez, Melissa's partner and Mariah's father, as a victim and expressed empathy for his loss, even though he had a history of familial violence. (Supp. App. at pp. 7-8.)

Melissa is a Person of Deep Catholic Faith Who Walks with God

Melissa grew up without much religious instruction, but began her walk with God on September 26, 2014. She is a person of deep Catholic faith who attends Catholic mass services every Monday and meets individually with a pastor, Deacon Ronnie, on Thursdays and Sundays. In 2015, Melissa and other women on death row formed a Bible study group where, she says, "we all help each other." Her main concern now is for her family, especially having her children support each other. Because of Melissa, her son John has also devoted himself to God, and she reads a Bible verse to him at the beginning of each of their visits. (App. at pp. 54-61.)

Widespread Support Across Texas for Clemency

Alarmed by the prospect of executing an innocent woman, who is a lifelong survivor of sexual abuse and domestic violence, a wide and diverse array of Texans are urging the Governor and the Board to grant Melissa clemency, including:

- A [bipartisan](#) group of more than 80 members of the Texas House of Representatives and 20 State Senators;
- 225 anti-domestic violence/sexual assault organizations from Texas and across the country, including the Texas Council on Family Violence, the Texas Association Against Sexual Assault, and the Lone Star Justice Alliance.

- Over 130 Baptist, Evangelical and Catholic faith leaders in Texas, including more than 50 Baptist leaders, the Executive Director of the Hispanic Baptist Convention of Texas, and the Director of the Rio Grande Valley Baptist Association;
- More than 30 groups that work on behalf of Latinos in Texas and across the U.S., including the National Hispanic Caucus of State Legislators (NHCSL);
- Eighteen people wrongfully convicted of a crime in a Texas state court, including Hannah Overton and Michael Morton; and
- Twenty-six death row exonerees, including two from Texas.

Melissa's children are also urging the Governor and the Board not to execute their mother. They are Mariah's brothers and sisters and Texas law requires that their wishes be taken into account. (App. at pp. 1-2, 49-51.)

More than 250,000 people, including more than 44,000 Texans, have signed an Innocence Project [petition](#) urging clemency for Melissa.

Abused Latinas and Wrongful Convictions

Of the 67 women listed on the National Registry of Exonerations who were exonerated after a murder conviction, over one quarter (17/67) involved false confessions and nearly one third (20/67) involved child victims.

Roughly one in three Latinas will [suffer](#) intimate partner violence in her lifetime, but the rates are higher for Latinas like Melissa who struggle with poverty and who were sexually abused as children. Also, research indicates that police tend to disbelieve women of color when they report domestic violence. At Melissa's death penalty trial, the prosecution belittled the evidence of Melissa's history of sexual abuse and domestic violence. (See trial transcript vol. 39 pp. 161-62.)

According to the Death Penalty Information Center, since 1973, 187 people have been exonerated from death row, including 16 in Texas, and the number of people whose lives were taken before they were able to prove their innocence is unknown.

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For more information on Melissa Lucio's innocence case, please contact: Laura Burstein at laura.burstein@squirepb.com or visit <https://innocenceproject.org/who-is-melissa-lucio-death-penalty-texas-execution-innocent/> and The Cornell Center on the Death Penalty Worldwide at <https://deathpenaltyworldwide.org/advocacy/melissa-lucio/>

