

Melissa Lucio granted stay of execution

April 25, 2022

The Texas Court of Criminal Appeals on April 25 granted a stay of execution for Melissa Lucio and ordered a Cameron County district court to consider new evidence regarding the death of her daughter Mariah.



Dozens of Texas Baptists—including Jesse Rincones, executive director of the Hispanic Baptist Convention of Texas—are among more than 100 faith leaders who requested clemency for Melissa Lucio, who was scheduled to be executed April 27. (Screen capture image)

Lucio, 53, was scheduled for execution on April 27. She is one of six women on Texas' Death Row and the only Latina woman in Texas history to receive the death sentence.

"Melissa is entitled to a new, fair trial. The people of Texas are entitled to a new, fair trial," said Tivon Schardl, one of Lucio's attorneys.

"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."

New evidence includes declarations of seven scientific and forensic experts who concluded false evidence misled the jury into believing the child was killed by physical abuse rather than medical complications after a fall.

Vanessa Potkin, director of special litigation at the Innocence Project, insisted medical evidence showed the death of 2-year-old Mariah Lucio was consistent with an accident, not abuse.

"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," Potkin said.

"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."

Lucio: 'I thank God for my life'

Lucio's legal team has asserted Lucio's conviction was based on unscientific false evidence and a coerced confession from a survivor of sexual and physical abuse. They said Lucio asserted her innocence more than 100 times before finally affirming statements presented by officers after five hours of interrogation.

"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," Lucio said in a public statement.

"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.”

Last month, more than 100 faith leaders—including Jesse Rincones, executive director of the Hispanic Baptist Convention of Texas—joined a [request for clemency for Lucio](#).

“I thank God for this important step that the court has taken today in Melissa’s case,” Rincones said. “We hope that the Cameron County court will follow the order, review the new evidence, and take the appropriate steps that will finally lead to a just resolution—removing Melissa Lucio from death row.”

‘Day in court’ not the same as justice

Steve Wells, pastor of South Main Baptist Church in Houston, also was among the religious leaders who requested clemency for Lucio. He reflected on the difference between having one’s “day in court” and justice.

“It has looked for weeks like an unjust verdict might have cost the life of a woman who experienced a tragic loss simply because ‘she had her day in court,’” Wells said. He dismissed the claim of those involved in the trial who said, “We followed the rules.”

“But in this case, the rules allowed a forced confession of a mother in grief. In this case, the rules allowed a death sentence which would multiply the grief in the family. How does killing a mother alleviate the grief of losing a child? And in this case, so many who had the power to seek justice—from the prosecution DA to our governor—sat on their hands in what appears to be an attempt to find the most advantageous political position,” Wells said.

“It has been, in short, a travesty of justice. Nothing less than a new trial is warranted.”

Stephen Reeves, executive director of Fellowship Southwest, said he and

his organization are “grateful and relieved that the state of Texas will not be killing Melissa Lucio on Wednesday.”

“By issuing this stay, the Court of Criminal Appeals recognizes that justice demands a review of new evidence. We thank God for her attorneys and the thousands of people of faith who have advocated on her behalf, including many who have never before so closely examined the death penalty,” Reeves said.

“We’re thankful for partners like Texas Coalition to Abolish the Death Penalty and the Innocence Project, who helped Fellowship Southwest encourage our supporters to raise their voices on her behalf. We continue to pray she will soon be reunited with her family.”