

## Case Studies

### Case 4: Walter McMillian

#### The Crime:

On a Saturday morning in November, 1986, Ronda Morrison opened the Jackson Cleaners in Monroeville, Alabama by herself and served several customers by 10 AM. At around 10:45, some customers entered the store, but could find no one working there. They looked around and finally discovered Ronda's body on the floor. She was dead. There was no apparent blood, and it appeared the victim had been sexually assaulted. It also appeared that money had been taken from the cash register. The local police began their investigation without waiting for experts from the state crime lab to arrive. Their search for fingerprints was hindered by the presence of so many prints from customers and by the police's relative inexperience. They did find five spent shell casings from a .25 caliber handgun. A subsequent autopsy revealed three slugs in Ronda's body, including one fired from close range. The coroner concluded that she had lived for about five minutes after being shot. No semen was found in or on her body, or on her clothing.

When an officer from the Alabama Bureau of Investigation finally arrived on the scene, there was fingerprint powder on nearly every surface and Ronda's body had already been taken to the funeral home, thus making accurate fingerprinting and a detailed examination of fibers at the scene, hairs, the exact location of the body, facial expression, the color of the victim's skin, and similar evidence, impossible.

#### The Suspect

Police interviewed several suspects and a reward was posted, but the crime remained unsolved for seven months. At that time, Ralph Myers, a white man with a long criminal record, was arrested for the murder of another young woman in Alabama. He was interrogated about Ronda Morrison's murder and eventually stated that Walter McMillian, a 46-year-old black man from Monroe County, had killed Ronda. Two other witness corroborated parts of Myers's story. McMillian was reputed to be a marijuana dealer and was dating a white woman from the area. He had a minor criminal record.

## **The Trial**

The defense asked that the trial be moved from Monroe County because of all the publicity surrounding the case. The judge agreed to move the trial from Monroe County to Baldwin County, which had a substantially smaller percentage of black people in its population. Testimony at the trial lasted one and a half days. The evidence against McMillian consisted chiefly in the following testimony:

1. Ralph Myers said that he and McMillian drove to Jackson Cleaners on November 1. He said that while waiting for McMillian he heard popping noises, went into the store himself and saw McMillian near the victim's body with money in his hands.
2. Bill Hooks testified that he had seen McMillian's "low-rider" truck near the Cleaners on the morning of the murder and that he had seen Myers and McMillian driving away from the Cleaners. Hooks said that he had tried to give the police some of this evidence the night of the crime, after he had been arrested for urinating in public.
3. A surprise witness, Joe Hightower, who the prosecution said had only stepped forward four days earlier, testified that he, too, saw the "low-rider" truck near the Cleaners on November 1, 1986. Hightower said that he had seen the same truck many times before and that he knew it was McMillian's truck because he had been to McMillian's house to buy marijuana. His comment about buying marijuana was stricken from the record.

McMillian's defense attorney called six witnesses who testified that he was at his home on the morning of November 1, taking part in a fish-fry. McMillian did not testify. He was found guilty of first degree murder during a robbery.

The penalty phase of the trial to determine if a death sentence should be given began immediately after the guilty verdict. The prosecution put on no witnesses. The defense put on only one witness, Walter McMillian. McMillian tried to explain that he was innocent of the crime and that he did not know Ralph Myers, but the judge cut him off, since this phase was about punishment, not guilt.

In its closing argument, the state emphasized the beauty of Ronda's life and the cruelty of her murder. The defense argued that only God should decide who lives and who dies. Only once did the attorney mention McMillian.

## **Meet the victim and her family**

Ronda Reene Morrison was a pretty 18-year-old junior college school student at the time of her death in November, 1986. She worked part-time at Jackson Cleaners, a dry cleaning establishment in the town of Monroeville, Alabama. Ronda Morrison was a popular girl who easily made other people smile. She weighed 120 pounds, but often worried about her weight. In high school, she attended Monroe Academy, the private all-white high school formed by town parents to avoid racial integration. Ronda knew few black people, and none of them well. She still liked watching Walt Disney fairy tales and she believed that basically everyone was good deep down.

Ronda was Charles and Bertha Morrison's only child, and they considered her to be a gift from God. Mr. Morrison worked at a paper mill and Mrs. Morrison worked at a garment factory. They were not well-to-do, but had a comfortable house. After the guilty verdict, they prepared a short victim-impact statement. They said, Our life had centered around our daughter. Now that she is gone we have no goal in life. Before submitting their victim-impact statement, they consulted with their minister at Eastwood Baptist Church. He urged them to forgive Walter McMillian, but also to demand his execution. The Morrison's wrote: This man took our daughter's life and should pay with his own.

### Meet the defendant

Walter McMillian was married to Minnie McMillian for 25 years. They had met as teenagers. When Minnie became pregnant in 1962, they were married. During their first year together, they almost starved, with Walter working as a field hand for \$14 per week. They lived in a sharecropper's shack.

Walter often sought better work to support his family. Sometimes Minnie went with him, at other times she stayed in Monroeville. He suffered some work related injuries and eventually came back to Monroeville and opened his own land clearing business. On the side, he sold marijuana. One of his customers was a white woman named Karen Kelly. They became romantically involved. In the midst of her own legal troubles, Kelly had accused McMillian of another murder. McMillian's arrest record consisted of one conviction for possession of marijuana, for which he was fined \$100; one charge of selling marijuana, which was dropped; and one charge for cutting another man with a knife outside a nightclub, for which he was given a year's probation. It was very difficult for Minnie to raise the money to pay for Walter's defense. Her church and the local black community helped. At times, the attorneys threatened to stop working if they were not paid. Minnie was upset when she learned about Karen Kelly, but she steadfastly believed in Walter's innocence.