

Miss. governors historically set killers free

JACKSON, Miss. (AP) -- For generations, certain convicted killers in Mississippi's prisons have been rewarded for good behavior with work details at the Governor's Mansion. By custom, governors have rewarded them further by reducing their sentences.

Tradition or not, Republican Gov. Haley Barbour created an uproar earlier this year by suspending the sentence of 54-year-old Michael Graham, who was serving a life sentence for murdering his ex-wife in 1989.

"Historically, most of the people who have worked at the Governor's Mansion are trusties from our penitentiary system. That goes back decades, probably back into the 19th century," Barbour said in a recent interview. Four such inmates work at the mansion now.

Trusties are prisoners who earn privileges through good behavior. There was even a time, years ago, when inmates known as "trusty shooters" were given guns and allowed to watch over other prisoners at Parchman, the notorious prison farm in the Mississippi Delta.

It's not uncommon, especially in the South, for prisoners to get work assignments at state buildings or a governor's residence. However, Mississippi's custom of reducing the sentences appears to be somewhat unusual, according to a survey of practices in surrounding states.

The most coveted trusty jobs in Mississippi have always been at the Governor's Mansion; they come with hopes for an early release. Plus, inmates who have spent years in austere prison cells are allowed to move to the grounds of the historic home in downtown Jackson.

Barbour said it's been "the custom" of governors to cut short the sentences of the mansion's inmate workers if they behave.

Former Democratic Gov. William Winter, who served from 1980 to 1984, agreed with that. "A suspended sentence has been what has occurred in most instances rather than an outright pardon."

Barbour's three predecessors, dating back to 1988, gave some type of early release or pardon to a total of 12 such prisoners, according to Tara Booth, a spokeswoman for the Mississippi Department of Corrections. All but two of them had been convicted of murder. One was serving time for forgery and another for armed robbery and aggravated assault.

None of them have returned to the custody of MDOC for crimes committed after getting their lucky break, Booth said.

Mississippi governors have the authority to pardon, commute or suspend sentences. That's not the case in every state.

In Louisiana, for example, under the constitution ratified in 1975, "the governor has no authority to grant any matters of clemency without first getting a favorable recommendation from the Pardon Board," said Eileen McCarroll, the board's executive director. Even then, the inmate must be eligible for parole and the process could take months. It rarely happens, she said.

Still, "a majority of states have various features that allow some sort of executive clemency," said Eric E. Sterling, president of the Maryland-based Criminal Justice Policy Foundation.

Past scandals and political liability, however, make some governors hesitant to use the power.

"It's been used somewhat less in modern times, which stems from the Willie Horton incident in Massachusetts that was such a liability to Massachusetts Gov. Michael Dukakis in the 1988 presidential election," Sterling said.

During that campaign, Republicans used political advertisements that showed a photo of Dukakis, a Democrat, with Horton, who had committed crimes during a weekend furlough program that Dukakis had supported as governor.

Arkansas governors have on occasion granted clemency to trustees who worked at its governor's residence, according to Dina Tyler, spokeswoman for the Arkansas Department of Correction.

"Sometimes those inmates in the past may have gotten clemency, which makes sense because those are people the governor has gotten to know and has seen first hand," Tyler said. "That doesn't happen very often, but it does happen."

Barbour stressed that Graham is not exactly a free man. The "indefinite suspension of sentence" requires him to meet with a parole officer and can be reversed if his behavior is not satisfactory.

That's little comfort for Adrienne Klasky's family.

Graham threatened to kill Klasky while the two were involved in a bitter divorce. He stalked and tormented her for three years before pulling alongside her car at a traffic signal where he shot her in the head with a shotgun, said Nancy Northern, Klasky's niece.

"It was premeditated. He killed her in cold blood," Northern said. "He should have never been let out of prison."

Graham, who was turned down for parole in 1999, 2001 and 2006, would have been eligible again July 12, 2010. Attempts to locate a telephone number for Graham were not successful.

Besides suspending Graham's sentence, Barbour also pardoned four trustees who were already out of prison on parole or had been given suspended sentences by a previous governor. Three

had been convicted of murder and the other was in prison for manslaughter and aggravated assault.

Inmates convicted of murder or manslaughter are sent to work at the Governor's Mansion because they've served long sentences - time enough to build the trust needed for such a task, said Mississippi Corrections Commissioner Chris Epps. "And generally they commit a crime of passion and would never do it again."

Still, Epps said he can understand why Klasky's family was angered.

"It was a bad crime. Terrible crime. Horrendous crime. But he's still under the supervision of the Department of Corrections," Epps said. "If he messes up, he's going back to prison. Listen to me, he's not going back to the mansion, he's going back to prison."