

*May God Have Mercy*, by John C. Tucker

reviewed by [Barry Sullivan](#) in the [May 20, 1998](#) issue

*By John C. Tucker, May God Have Mercy: A True Story of Crime and Punishment. (Norton, 358 pp.)*

In 1996 the American Bar Association adopted an extraordinary resolution calling for a moratorium on executions until the states and the national government implement certain minimal safeguards for ensuring fairness and reliability in death penalty cases. These legal leaders called not for abolition of the death penalty, but for radical reform of a system which Justice Harry Blackmun has called “a machinery of death” and Judge Alex Kozinski has described as “remarkably time-consuming, painfully cumbersome and extremely expensive.”

The United States’ exceptional commitment to capital punishment is not likely to change soon. How our capital justice system works in practice is a question of great importance, but one to which most of us pay scant attention. John Tucker’s riveting account of the system’s shortcomings draws attention to the problem. A master storyteller who once was one of Chicago’s leading trial lawyers, Tucker does not approach the topic with philosophical or theological arguments, statistics or jeremiads, but with a detailed and even-handed account of one capital case in which the condemned man may well have been innocent.

Brad McCoy, a coal miner in Grundy, Virginia, came home from work late in the evening of March 10, 1981, to find the body of his 19-year-old wife, Wanda Fay, lying in a still-expanding pool of blood. She had been raped and stabbed in the chest, and her throat had been cut so deeply that her head was nearly severed. From the beginning, the police focused their investigation on Roger Coleman, the husband of Wanda Fay’s 16-year-old sister.

Coleman was a miner who once dreamed of escaping life in the coalfields by joining the army and attending college. Most important to the police, Coleman had been convicted of attempted rape, based on questionable identification evidence, some years earlier. Fitting the facts to their theory of Coleman’s guilt, the police prematurely disregarded possible areas of inquiry and evidence that might have

pointed in other directions. Eleven years later, on May 20, 1992, Coleman died in the electric chair.

Along the way, a conscientious judge searched unsuccessfully for an experienced criminal trial lawyer willing to take the case; a jury convicted Coleman on circumstantial evidence and extravagant interpretations of scientific evidence; a favorable witness died in suspicious circumstances; Coleman's habeas corpus petition was denied because his lawyers filed it a day late; and his defense team uncovered substantial evidence pointing to another suspect, but repeatedly failed to find a forum willing to hear it.

Seeking to prove his innocence were a committed prisoners' rights activist, a clergyman whose ministry involved investigating death row cases, a young Washington lawyer inspired by the best traditions of the bar, and a young woman who corresponded with Coleman and then came to love him.

Tucker tells the compelling story of many lives, some lived far from Grundy, that were changed forever by this brutal murder, death sentence and execution. Above all, perhaps, his book is a sustained meditation on Aristotle's maxim that the degree of precision required in any inquiry must be appropriate to the subject matter. When the subject matter is life or death, we should feel that justice was done. That is not the case here. Although Tucker cannot prove Coleman's innocence, he shows that there was no firm basis for finding him guilty. One must wonder how often we would doubt a condemned person's guilt if we knew other stories as well as we know this one.