

Free Gary Tyler!

Youth faces electric chair

Bob Nirkind

1976

In a murder case which has “frame up” written all over it, a 17-year-old black Louisiana man named Gary Tyler sits on Death Row awaiting execution by electric chair for a crime he did not commit—the fatal shooting of a 13-year-old white youth.

The killing took place on October 7, 1974 at Destrehan High School in St. Charles Parish, Louisiana, forty miles north of New Orleans. After a series of busing-related skirmishes between black and white students, the principal decided to dismiss school early to avoid further confrontations.

At the time, Gary Tyler and a friend, Huey Smith, weren’t even in school, having chosen instead to walk along the Mississippi River levee, miles from Destrehan. Had it not been for Deputy Sheriff V. J. St. Pierre, who picked them up along the roadside and drove them back to the scene of the disturbances, Tyler would never have been involved with what was to follow.

As it was, Tyler and Smith were deposited back at the school just in time to be herded onto buses along with other black students past a mob of 200 brick, bottle and stone-throwing white students and parents. As the buses pulled away, a shot rang out and a 13-year-old white student, Timothy Weber, fell, dying in a nearby hospital a few hours later.

The police, who’d up to this point stood idly by failing to protect the black students from attack, immediately stormed into action and stopped the bus Tyler was on, claiming the shot had come from its direction. All seventy-five passengers were forced to get out and kneel on the concrete for the next two hours while police hovered menacingly over them, occasionally pointing pistols at their heads.

Although the bus and all its passengers were thoroughly searched and the seats torn apart, no weapon was found. Yet, once the bus was parked at the police station and a seat removed from it, miraculously it was discovered that a .45 caliber automatic pistol had been stuffed into an eight-inch slash in that seat—a slash which somehow had been overlooked in the earlier search. The official story was that the weapon had “disappeared” from a police firing range hours earlier, but had never been reported missing.

Tyler, meanwhile, made the mistake of protesting the police harassment of the students and was subsequently arrested for “interfering with the law.” The charge was soon boosted to murder in the first degree, a crime which carries a mandatory death sentence in Louisiana.

When Tyler’s mother, Juanita Tyler, drove to the Sheriff’s substation to see her son, she was refused, even as she could hear her son being beaten by sheriff’s deputies. Deputy St. Pierre told her: “My little cousin just got his brains blown out and some motherfucker’s gonna pay for it.”

In November, 1975, Tyler had his trial—a sham presided over by a white judge, Ruphe Marino (a member of the racist “White Citizen’s Council”) and an all-white jury. The key witness for the prosecution was Natalie Blanks, a black teenage mother, who had allegedly sat next to Tyler on the bus at the time of the shooting.

Blanks testified to having seen Tyler fire a gun from the bus window, although testimony from the driver of the bus, 20-year army veteran Ernest Cojoe, and other passengers refuted her allegation.

In a sworn statement from Blanks' mother to Tyler's attorney, information was uncovered that Natalie Blanks had been under psychiatric care for seven years, was emotionally unstable, a frequent liar and had drug charges pending against her at the time of Tyler's arrest and indictment. None of this information was disclosed at the trial.

On Tyler's behalf, there were two crucial pieces of evidence, neither of which was brought to the attention of the jury. One was the autopsy report, which provided no evidence as to the caliber of the bullet that entered Timothy Weber's body nor the angle at which it struck the "victim. The other was that Tyler's gloves indicated no trace of nitrates in an important test used to ferret out particles of exploded gunpowder, thus determining whether a gun had recently been fired by the individual in question.

It was also never explained how Tyler managed to hide a gun from Deputy St. Pierre when picked up along the levee when all he was wearing was a pair of tight-fitting blue jeans and a knit T-shirt. For that matter, no explanation was ever put forth as to how he was supposed to have slit the bus seat to conceal his weapon when he had no knife in his possession.

On November 15, the trial ended with Tyler found guilty of murder in the first degree. On December 15 he was transferred to the Louisiana State Penitentiary and placed on Death Row, scheduled for a May 5 execution.

New Evidence

Just when Tyler's fight for his life appeared hopeless, there was a vital break in the case. On February 5, 1976, Natalie Blanks voluntarily contacted Tyler's mother and accompanied her to the law offices of Jack Peebles in New Orleans.

In a tape-recorded interview which formed the basis of a 31-page affidavit filed March 9, she admitted to having lied about sitting next to Tyler on the bus and having seen him shoot a gun. She explained that she'd been coerced into false testimony by the police. An April 23rd hearing for a new trial was set.

The April hearing was presided over again by Judge Ruche Marino. Tyler's lawyer, Jack Peebles, told Marino he'd filed for a new trial on the basis of newly discovered evidence, which included affidavits signed by two key witnesses in the first trial, Natalie Blanks and Loretta London Thomas. Both alleged police coercion.

At the hearing, Blanks explained that on the date of the shooting, she was taken to the police station from the bus, stripped and searched by policewomen, then confronted by two male deputies who said "You know Gary shot him (Weber)."

That night, she continued, she was given a paper to sign which implicated Gary Tyler in the murder. She recalled in her affidavit that deputies asked her questions like, "How old is your baby? Do you want to be in jail? Don't you want to see your baby? Don't you want to be here to raise your baby?"

During the grand jury proceedings and at the trial itself, Blanks said, Assistant Louisiana Attorney General L. J. Hymel and St. Charles Parish Assistant District Attorney Norman Pitre threatened her with prosecution if she dared repudiate her testimony implicating Tyler.

"They wrote something down on the paper and they told me when I got on the stand to read it," Blanks testified. "So I read it, and it wasn't the truth. Like, every time the (prosecutor) asked me a question, I would have to look on the paper to get the answer. See, what was on the paper wasn't even my words. All I did was read the paper."

The second key witness, Loretta London Thomas, who had sworn that Tyler handed her a gun which she'd tried to conceal in her stocking before throwing it on the floor, now testified that originally she'd told the police she hadn't seen a gun on the bus, but that she was brought back to the station around 1 or 2 a.m. and threatened by a deputy with 99 years imprisonment as an accessory to murder.

"The officer told another policeman to write my slip to go across the river," Thomas explained. "When he said go across the river, I knew he meant jail. I started crying and after that I gave him the statement."

A third witness, Donald Files, insisted that when Tyler's cousin, Ike Randall, warned students on the bus to get down after seeing a man aim a rifle at the bus, he pushed Blanks to the floor, making it impossible for her to have seen who was shooting.

Judge Denies Retrial

Totally disregarding the evidence, Judge Marino denied Tyler's bid for a retrial on the grounds that no medical proof had been introduced to disqualify Blank's testimony for psychiatric reasons, that there was no evidence that she'd been coerced by the police and that her assertion that she'd read her original court testimony from a piece of paper given to her by the prosecution was "preposterous."

Following the conclusion of the hearing, spectators—most of whom were friends, family, and supporters—were ordered to file out of the courtroom one by one to the courthouse grounds, where sheriff's deputies and state police with rifles and dogs waited. Later that day, Tyler was flown by helicopter back to Angola State Penitentiary.

Even as the hearing was ending, the Ku Klux Klan was busily exerting its sick influence in the area, historically a KKK stronghold.

Over a year-and-a-half earlier, on the date of the shooting, national KKK spokeshing David Duke flew into Louisiana from Boston, where he'd been involved in leading white racist anti-busing demonstrations and promoting hysteria.

In a rally at Destrehan High School, Duke denounced those he labeled the "black savages" and called for vigilante actions on the part of the rural white community to assert the "white people's right to patrol the streets and protect themselves."

In self-defense, the black community organized itself as well. As Mrs. Tyler explained: "All the (black) people organized to protect themselves because he (Duke) said that the Klansmen were going to run us out of town. The streets were supposed to be blocked to stop the Klan, but they were always here. All the people said that they were not going to let anybody come and burn their houses and that's what really stopped the Klan."

"I think the whole system must be the Klan themselves because the only way they could be inside the town during the time it was blocked is because they were already here."

Duke's speeches, however, had nonetheless produced the desired racist fever and on March 27, Richard Dunn, a 19 year old black man, was shot down near the campus of Southern University in New Orleans as he waited for a bus following a dance held in support of Gary Tyler. As expected, the New Orleans Police Department said they'd treat the murder as a routine homicide, even though Tyler's supporters voiced suspicions of a direct connection between the murder and other terrorist actions by, or spurred on by, the KKK.

Free Gary Tyler

According to Michael Kaplan, a spokesperson for the Free Gary Tyler Committee in New Orleans, there have been numerous death threats made to persons involved in the defense movement. The police, naturally enough, have shown little interest in getting to the source of those threats.

As the situation currently stands, Gary Tyler's life hinges on two pending court decisions. The first is a retrial appeal to the Louisiana State Supreme Court, expected in September. The second is a U.S. Supreme Court decision on the legality of capital punishment, which should be ruled upon sometime this summer.

Meanwhile, local and national civil rights and political groups have mobilized support for Tyler with demonstrations already held, or due to be held soon, in Chicago, St. Louis, New York, Boston and Detroit, among other major cities.

Unlike Rubin "Hurricane" Carter, Angela Davis and Joanne Little, Gary Tyler has no substantial media "stars" like Bob Dylan and Joan Baez holding mammoth benefits for him or singing his story, nor does he have Newsweek, Time, the Village Voice, Rolling Stone or New Times magazine bombarding him with interview requests.

Obviously the Tyler murder case is not an isolated incident known exclusively to the Southern states. More than simply a murder trial, it's white racist America versus black; and anti-busing proponents against busing advocates.

White racist opposition to busing and integration in the United States wants to see Tyler die for the death of a white youth who was most probably blown away by a gun-slinging, anti-busing supporter. They want blacks to know that should they dare fight the existing authority, they'll meet the same fate as Tyler.

As we see it, Gary Tyler must be supported, not only because he's innocent, but because he's become a symbol as well—a symbol of every one of us unwilling to bow to the oppressive elements of a corrupt and vicious social system.

On Sunday, June 13th at 4 p.m., the Central Methodist Church (E. Adams and Woodward) will host a Free Gary Tyler rally. The rally, which is intended to both further the movement to free Tyler and raise funds for his defense, will feature speeches by Juanita Tyler and Walter Collins of the National Committee to Free Gary Tyler. A \$1.00 donation, \$.50 for the unemployed and high school students, is asked.

Supportive contributions can also be sent care of Juanita Tyler, 736 Mockingbird, Destrehan, Louisiana.

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