

Tulia: race, cocaine, and corruption assignment

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Tulia: Race, Cocaine, and Corruption in a Small Texas Town 1 Tulia: Race, Cocaine, and Corruption in a Small Texas Town Shana Eberlin Ethics in Criminal Justice October 26, 2008 Tulia: Race, Cocaine, and Corruption in a Small Texas Town 2 Blakeslee, N. (2006). Tulia: Race, Cocaine, and Corruption in a Small Texas Town. New York: PublicAffairs. Abstract: One morning in 1999, in the little cow town of Tulia in the Texas panhandle, before the sun came up, police burst into homes, where about twenty percent of the adult black population found themselves arrested.

They arrested forty seven men and women who had no way of anticipating what had hit them. All of whom were accused of selling cocaine to Tom Coleman, an undercover cop who would prove to be something other than what he seemed. Tulia: Race, Cocaine, and Corruption in a Small Texas Town 3 One morning in 1999, in the little cow town of Tulia in the Texas panhandle, before the sun came up, police burst into homes, where about twenty percent of the adult black population found themselves arrested. They arrested forty seven men and women who had no way of anticipating what had hit them.

All of whom were accused of selling cocaine to Tom Coleman, an undercover cop who would prove to be something other than what he seemed. Methods This nightmare began in the early morning of July 23, 1999. Forty seven men and women were arrested in the biggest drug bust in Swisher County's history. They were roused from their beds before dawn and taken to jail. Thirty nine of those arrested were black. The following eight were either Whites or Hispanics who had ties to this black community. From the

beginning, the families of those apprehended believed that the drug bust was a racial thing.

They just could not prove it, at least not yet. Tom Coleman was hired in January 1998 by Swisher County Sheriff Larry Stewart to conduct an undercover drug operation. In preparation for the sting, he assumed a new identity and went by the alias T. J. Dawson. He set about going undercover in the town's poor black community. While undercover, Coleman claimed that he was able to gain the trust and friendship of many people within Tulia's black community. Every time Coleman scored a bag of powdered cocaine, he would turn it into his superiors who would then give him more money to buy more drugs.

In total, Coleman claimed to have made more than one hundred purchases of drugs from Tulia's residents. The undercover operation, which led to the biggest drug bust, earned him the Tulia: Race, Cocaine, and Corruption in a Small Texas Town 4 award " Outstanding Lawman of the Year," Most of the white citizen's of the town hailed Coleman as a hero. However, the black community was devastated. Most of the defendant's received extremely harsh sentences ranging from three to three hundred and sixty one years in prison. Due to these harsh sentences, the NAACP investigated these cases.

However, defense attorneys representing those convicted had conducted their own investigations into Coleman's background and what they learned was surprising. Through the investigations, details emerged that Coleman's investigative methods were at least highly dubious. Coleman's evidence always consisted of his word against that of the suspects, he never had

another cop witness his buys, and he never had audio or video of them.

Notes that he had taken of the transactions were wrote on his arms and legs.

To make matters worse, Coleman's credibility was questioned.

Details emerged that he has a criminal history and a reputation as a liar and a bigot. The more people learned about Tom Coleman and his appalling investigative tactics the more it became clear that Tulia had a scandal on their hands. From an early age, Coleman had aspirations of working in law enforcement. He wanted to follow in the footsteps of his father who had been a member of the hardy breed of lauded officers known as the Texas Rangers. He was, evidently, nothing like his father, who by all accounts was a well-respected lawman. During his career in law enforcement, he had accrued financial problems.

He moved from place to place and job to job leaving behind unpaid debts. However, despite background checks and a blemished reputation, Coleman got the position of a Tulia: Race, Cocaine, and Corruption in a Small Texas Town 5 Narcotics agent in Tulia. Not long after he was hired, he started his undercover assignment where he was supplied with federal grant money, to fund the drug operation. Five months into the Tulia sting, Coleman learned that his previous employer had an arrest warrant out for him because of stealing gas and the abuse of power for not paying his debts.

However, to avoid disrupting the undercover drug operation, Sheriff Stewart did not fire Coleman. Instead, he gave him one week to get his affairs in order. Coleman followed through and was allowed to continue with the undercover assignment. One of the first people tried in Tulia for supposedly

dealing drugs to Coleman was Joe Moore. He was accused of selling Coleman an eight-ball of powdered cocaine on two separate occasions. Moore was described as the drug kingpin of Tulia. He was found guilty on both counts. He received one of the harshest sentences, ninety-nine years in prison.

His sentence was so extreme because he was accused of selling the drugs within 1,000 feet of a school, which is a first-degree felony. One of the hardest hit was the White family. Mattie White had three of her children arrested for allegedly selling drugs. Donnie Smith was the first to be tried of this family. Coleman claimed that Donnie had sold him crack and powdered cocaine on six separate occasions. He received twelve years in prison on a plea bargain. Donnie's sister, Kizzie went on trial a month later. She was accused of selling Coleman cocaine and marijuana.

In order to escape a harsh sentence, she accepted a plea bargain but still received twenty five years in prison. Kizzie's husband, William Cash Love was found guilty of selling Coleman an ounce of crack cocaine. He received a sentence of three hundred and sixty one years in prison. During Kareem Tulia: Race, Cocaine, and Corruption in a Small Texas Town 6 Abdul Jabbar White's trial, Coleman's credibility was attacked after he gave conflicting statements during his testimony about who was present during the alleged drug deal. Four witnesses for the defense team, including a prosecutor and a former sheriff, testified that Coleman was a liar.

Regardless, Kareem was found guilty and received sixty years in prison. Kareem's older sister Tonya was accused of selling cocaine to Coleman even though she lived in another state. Jeff Blackburn, a civil rights lawyer,

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handled Tonya's case. During his investigation, he learned that at the time she was supposedly selling cocaine to Coleman, she was at a bank making a withdrawal. Tonya was faced with receiving a ninety-nine year sentence for supposedly selling four grams of cocaine to Coleman approximately 1, 000 feet from a playground making it a first degree felony. The evidence was presented and the charges were dismissed.

Jeff Blackburn formed the Tulia Legal Defense Project (TLDP) which was aimed at organizing the release of all who were sentenced to prison. The group was made up of a small group of pro bono lawyers and the NCAA Legal Defense fund. The first move was to initiate new hearings and attack Coleman's credibility and investigative methods. Appeals were immediately filed and motions asking for new trials were filed. It took awhile but the defendants were finally granted new trials which involved a review of four of the cases which included that of: Freddie Brokkins Jr. , Jason Williams, Christopher Jackson, and Joe Moore.

If things worked out they hoped to gain new trials for these four and the others that were wrongly convicted. In March, people filled the Swisher County Courthouse hoping that they would finally see justice prevail. The trial court had the task of determining whether the prosecution had failed Tulia: Race, Cocaine, and Corruption in a Small Texas Town 7 to turn over evidence about Coleman's past. The defense team had selected key witnesses to testify. Among them were: Coleman, Pecos County District Attorney Ori White, former Pecos County Sheriff Bruce Wilson, and Sheriff Larry Stewart.

Ori White was the first to testify and he suggested that Coleman was dishonest. Sheriff Wilson was then called. He claimed that Coleman threatened two women and also harassed a teenager by pulling him over several times a day on a bunch of occasions. He also suggested that Coleman was not dependable. Sheriff Stewart testified that Coleman was unaware of the charges against him. The defense team showed Stewart a waiver that Coleman has signed four months prior to his arrest where he acknowledged the charges.

Other law enforcement officers testified that Coleman was racist, irresponsible, dishonest, and paranoid. During questioning by the defense, Coleman continued to dig himself deeper and deeper into a hole. Judge Chapman recommended that the Texas Court of Criminal Appeals grant new trials to the four defendants. The prosecution agreed and would dismiss charges if the appeals court approved of the judgment. In August, the governor granted full pardons to 35 of the defendants convicted in the Tulia drug sting. Discussion I was appalled at the events that unfolded within this book.

It is the role of the prosecutor to seek justice. It is not the role of a prosecutor to behave in this reprehensible and despicable fashion that Terry McEachern, the prosecutor in Tulia did. Of course, it should be noted that Tom Coleman was able to operate as he did, thanks to the Sheriff of Tulia, Larry Stewart, who supported Coleman until the bitter end. Sheriff Stewart in my opinion is not worthy of the shield Tulia: Race, Cocaine, and Corruption in a Small Texas Town 8 that he wore. Coleman's undercover work was a disgrace. The caliber of his work was highly suspect.

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Ed Self, the judge who presided over the trials, did not seem to understand the applicable law and did not ensure that the defendants had a fair trial. He is certainly not worthy of the robe that he wears. Many of the defense attorneys were also appalling, providing, at best, ineffective assistance of counsel to their hapless clients. There were some defense attorneys, however, who tried to do the right thing by their clients. The problem was that they did not have all the information at their disposal that the prosecution was ethically obligated to give them, so their efforts were handicapped.

Thanks to the efforts of some outraged townspeople and local attorneys, the NACCP's Legal Defense Fund, and the pro bono efforts of a number of big firm attorneys, some measure of justice was eventually meted out.

Unfortunately, by the time this finally happened some of the defendants had spent years in prison for crimes that they did not commit. Still, the concerted effort on behalf of these wrongfully convicted individuals was nothing short of heroic. Tulia: Race, Cocaine, and Corruption in a Small Texas Town 9
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