

Ferguson Opens Old Wounds

The Missouri Shooting Stirs Lingerin Memories From Previous Police Shootings

BY TINA SUSMAN
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FLORISSANT, Mo. — Tyrus Murray was 13 years old when her father, Earl Murray, and his friend Ronald Beasley died in a hail of gunfire during a drug bust gone awry.

Both men were black, and neither were armed. Their shooters were white law enforcement officers, and neither was indicted.

That was 14 years ago, but the case and others like it help explain the anger in this St. Louis suburb and in neighboring Ferguson, where a white police officer's shooting of an unarmed black man this month fueled angry protests and demands that the officer, Darren Wilson, be charged in the death of Michael Brown, 18.

One other thread of similarity: The chief prosecutor then was Robert McCulloch, the same chief prosecutor now handling the Brown case.

"This really kind of opened the wounds," said Earl Murray's widow, Virgieann Murray, who was left to raise four daughters and a stepson when her husband was killed in Berkeley, Mo., about two miles from Ferguson.

"He made some bad choices," she said of Earl Murray, who, according to court records, had two felony drug convictions and a conviction for being a felon in possession of a firearm. "But he cared about his family. He cared about me."

Tyrus Murray, now 27, remembers how she learned what happened to her father and Beasley on the afternoon of June 12, 2000. The television news began reporting a shooting at a fast-food restaurant near their home in Florissant. Her mother was at work. Amid a flurry of phone calls, the family discovered the horrible truth that still follows them.

"Whatever his record, nobody should be judge, jury and executioner," said Tyrus Murray, who still gets asked about her father's death, which prompted widespread protests and a federal investigation.

She teared up while describing the lingering effects the slaying has had on her: fear of police, cynicism toward the justice system and weariness of hearing about cases like Brown's.

When she learned of Brown's Aug. 9 shooting, Murray said, the first thing that crossed her mind was, "There goes another one."

Neither Murray nor her mother, both school bus drivers, took part in the protests in Ferguson, where Brown died, or outside the office of McCulloch, the St. Louis County prosecutor, in nearby Clayton.

McCulloch began presenting evidence Aug. 20 to a grand jury that will decide whether there is enough evidence to charge Wilson. The jury usually meets on Wednesdays until its work is done, something not expected in this case until mid-October.

Autopsies show Brown was shot at least six times. Police say Wilson fired in self-defense after Brown attacked him. Brown family attorneys and some witnesses say Wilson attacked Brown and shot him as Brown tried to surrender.

Protesters say that too often, McCulloch has failed to prosecute law enforcement officers in cases involving shootings of unarmed African-Americans. The case they cite most often is the one involving Murray and Beasley.

McCulloch, who has been repeatedly re-elected since becoming county prosecutor in 1991, denies bias and bristles at allegations that his own family's tragic history has clouded his judgment. McCulloch's father, Paul McCulloch, was a St. Louis police officer who was shot to death on duty in 1964, when McCulloch was 12. The assailant was black.

"I know the pain that goes with the loss of a loved one to violence," McCulloch said in an interview this month with St. Louis' KSDK television. "I know the pain the Brown family is going through right now."

McCulloch said his father's loss had affected how he does his job, but in a positive way. "What it did to me was made me, I think, a fierce advocate for victims of violence," he said.

His critics disagree. Rufus J. Tate Jr., a former president of the Mound City Bar Association of African American lawyers, said McCulloch would try to bury the grand jury with evidence and witnesses to muddle their view of what happened and plant doubt in their minds, making an indictment unlikely.

"This has nothing to do with whether 12 people can make a determination," Tate said. "This has everything to do with the way they're being fed information."

In the Murray-Beasley case, the grand jury — whose proceedings were not public — heard about 40 hours of testimony, including from the two shooters: a U.S. drug agent and a police detective who fired 21 shots at Murray and Beasley. Beasley was not wanted for a crime but was a passenger in Murray's car that afternoon.

The St. Louis Post-Dispatch, which reviewed the grand jury transcripts, reported that of 13 law enforcement officers involved in the planned drug bust, three said Murray's car was moving toward the officers when they opened fire. Those three included the two shooters.

Four law enforcement officers said the car was not moving forward, the Post-Dispatch reported, quoting the grand jury transcripts.

The grand jury voted not to indict.

A separate federal investigation concluded that Murray's car was reversing in an attempt to escape the officers and that the officers fired "out of fear and panic." The U.S. attorney for the Eastern District of Missouri at the time, Raymond Gruender,

called the shootings "troubling" but said there was not enough evidence to pursue federal charges of civil rights violations.

McCulloch rejected calls to reopen the investigation, saying that what was most important was that the officers believed their lives were in danger.

"These guys were bums," McCulloch said the year after the shootings, alleging that Murray was desperate to flee police because he faced a lengthy prison term if convicted a third time on drug charges.

Tyrus and Virgieann Murray still seethe at the memory of that comment.

"How can we expect any justice when he's calling these people bums?" Virgieann Murray said.

Her anger becomes clear as she talks about the case. More than anger, though, a sense of confusion comes through as she asks repeatedly how two unarmed men could be shot to death without any compensation for their families. A judge in 2005 dismissed a lawsuit filed by the families alleging the men's civil rights had been violated.

At the very least, she said, the families should have been offered counseling to alleviate the anger they still carry.

"We walk around like we're OK, but this has really torn us up," she said. "You know something is unjust and nothing is done about it — it's hard."

Neither Tyrus nor Virgieann support the looting that erupted in Ferguson in the days after Brown's death, but they understand why it happened.

"It's not just from the



TINA SUSMAN /MCT

Tyrus Murray was 13 when her father was shot to death by white law enforcement officers in 2000. "Whatever his record, nobody should be judge, jury and executioner."

most recent case. It's from all the previous situations," Tyrus said. "People are tired. Just tired."

"He was the last straw,"

her mother said of Brown. Maybe if people had risen up more back in 2000, after Murray and Beasley died, things would have changed,

she added. "Maybe we should have started acting crazy," she said. "I'm glad they're doing it now. I hope they get justice."

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