

## Sean Tyler

Sean Tyler, age 19, has been targeted by the Chicago Police Department since he witnessed the fatal shooting of Alfredo Hernandez on September 25, 1991 outside of Tyler's childhood home. Tyler later testified that 13-year-old Marcus Wiggins (Marcus Wiggins' case is discussed further in a separate fact sheet) was wrongfully accused of this murder. Tyler was initially hesitant to testify due to his fear of retaliation from the police but eventually did since the Chicago Police Department was attempting to frame Wiggins for a crime he did not commit and brutally tortured him in order to gain a coerced confession from him. Tyler's testimony proved Wiggins' innocence and shone a light on the Chicago Police Department's history of violent abuse during interrogation. Wiggins and his family went on to successfully sue the Chicago Police Department and settle after the court findings proved that there was evidence to support Wiggins claim. While Tyler's testimony was necessary to exonerate Wiggins, it created a volatile relationship between Tyler and the Chicago Police Department.

Although Tyler was promised protection and anonymity if he testified, that clearly was not the case. The judge overseeing Wiggins' trial placed a protective order on Tyler from the detectives involved in Wiggins' case. Detectives Kenneth Boudreau, James O'Brien and Jack Halloran were all under the historically problematic Commander Burge and were made aware of this protective action but were also the detectives who framed, interrogated and tortured Tyler years later.

10-year-old Rodney Collins was fatally shot on March 29<sup>th</sup>, 1994 around 5 p.m. at Winchester and 51st. These previously mentioned detectives looked to frame Wiggins again for this crime, but Wiggins was able to prove that he was out of the state in Wisconsin during the time of the murder. These detectives needed a new suspect to blame and looked to Sean Tyler now. There is no physical evidence or motive to connect Tyler to this crime. The only evidence against Tyler was a coerced confession after a 2-day period of abuse and witness statements that have since been recanted on the grounds that they were forced by police.

Detectives picked up neighborhood kids Michael Taylor, Antoine Ward and Kenneth McGraw based on very little information and violently interrogated them. Ward and McGraw's accounts are almost identical and report being held for two days while being beaten and encouraged to confess to a crime they did not commit. When this proved fruitless, these detectives picked up Michael Taylor and he was interrogated by the same detectives and was forced to sign a pre-written confession that tied him to the Collins murder. When Taylor initially refused to sign the confession, he was violently beaten and handcuffed to a coat rack. He was denied access to an attorney and was never read his rights. When he was given food, the detective interrogating him dumped his cigarette ashtray on to the food provided to stop Taylor from eating.

After the detectives had been unsuccessful with these three young men, they arrested Tyler's brother, Reginald Henderson. Henderson denied involvement and asked for his parents, which he was denied. He was then grabbed by the throat by detectives and threatened with "50 years in jail" while being interrogated. He was then left shackled to a wall for 7 hours. When detectives returned, they handcuffed him to a chair and repeatedly smacked him on the ears from behind

him. Henderson also had his head smashed into the desk in front of him. In the 48 hours Henderson was in custody, he was not given food or water, allowed to use the restroom, or read his rights. At this point, Henderson agreed to confess that he and his brother were involved in Collins murder.

Sean Tyler presented himself at Area 1 when he heard that police were looking to speak with him regarding the Collins murder. He denied involvement and provided his alibi. Tyler had three alibi witnesses, Donald Jones, George Mosley and Steven Alexander, that confirmed spending the evening playing video games with Tyler and corroborated his whereabouts during the Collins murder. He was beaten when he didn't agree to confess to the Collins murder. The detectives left the room and returned with a signed confession from Henderson implicating both him and Tyler. Tyler agreed to sign it after he began vomiting blood and had to be taken to the hospital for emergency medical attention.

Sean Tyler's present petition includes medical records showing he was vomiting blood when admitted from the police station. The doctors who treated Tyler diagnosed him with hematemesis which is consistent with the chest trauma that was inflicted on him while he was interrogated. There is no alternative explanation for this diagnosis other than violent and repeated beating to his chest. At trial the state reported that this diagnosis must have been linked to his previous history of asthma. There is no evidence that Tyler's episode of vomiting blood was related to asthma or that he ever had a previous history of this symptom before interacting with police. Two separate witnesses saw Tyler shortly after his interaction with police and confirmed his face was swollen and bruised.

In terms of actual evidence, there is almost none. As stated previously, there is no physical evidence that Tyler committed this crime and no motive. Tyler has an alibi and was arrested and interrogated by the same detectives who Tyler was protected from by a court ordered protective act. Aside from the coerced confession, the only thing connecting Tyler to this murder was one witness, Andrea Murray, who was at home during the shooting and reported seeing two boys fleeing the scene past her window after the shots. She called 911 when she heard the gunshots. Murray ran to her kitchen when she heard the gunshots in order to check on her daughter and saw two men running past her window about 30 feet away.

Years after the trial, Murray confirmed in her affidavit that she had been paid "relocation money" and been "bought" in order to testify against Tyler. She was new to the neighborhood and detectives threatened her to testify. Murray was paid to move by having her moving fees, first month's rent, and security deposit covered. Murray states that this payment was no small factor in her decision to testify.

Murray stated later that she couldn't see well enough through her window to identify anyone. Detectives showed her Tyler and Taylor's photos and told her she had to pick them out of a lineup. A new case is required due to witness discrepancy alone. She was not a disinterested witness as previously reported by the State and has since recanted her testimony. Murray only identified Tyler after being shown a photograph of him by detectives. Murray states in a post-conviction petition that what she did was wrong and would like to see that justice is done now.

Over half a dozen eyewitnesses to the shooting were interviewed and unable to identify Tyler. These witnesses were Charles Breckenridge, Maurice Judon, James Barber, Phillip Smith, Thomas Larson, David Larson, and Marquan Grey. One witness, Charles Breckenridge, stated that police were encouraging him to identify Tyler as the shooter. He reported he saw the shooters and was positive they were not Tyler. He testified under oath stating this. In trial, no eyewitnesses of the shooting identified Tyler and even after coercion, Murray only identified Tyler as a boy who was running past her apartment. Additionally, in trial Tyler's counsel made no attempt to introduce the evidence regarding the Hernandez murder as an explanation and clear connection as to why these detectives were targeting Tyler. His counsel also didn't attempt to show the history of violent behavior amongst these detectives. Finally, Tyler's counsel didn't attempt to present evidence that showed there was another person with the same nickname as Tyler (Droopy) within their neighborhood who later pled guilty to the murder of Rodney Collins.

Throughout the trial, all of the aforementioned detectives plead the fifth regarding bribing Murray, encouraging eye witnesses to identify Tyler, beating alleged suspects while denying them basic human and civil rights and using unethical methods of investigating the murder of Rodney Collins. Even with no evidence and circumstantial witness testimonies, Tyler was sentenced to 58 years in prison in September 1995. In October 1998, Tyler filed a Post-Conviction Petition (PCP) in order to address several issues with his case ranging from actual innocence to errors in counsel and violations of multiple constitutional amendments. This PCP is asking now for a few things: an outright reversal of his conviction; a vacation of his conviction followed by a new trial; and/or a hearing at which proof may be offered concerning the allegations contained in his petition.

Most recently, in February 1999 Tyler appealed to have the court suppress his coerced confession and also asked the court to take into account some things such as his age, rehabilitative capacity, lack of criminal background, lack of violent background and a disproportionate sentencing compared to other cases. At this point, the court lowered his sentence to 50 years.