

# The manslaughter trial of a young New York mother--who are the real criminals?

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Tabitha Walrond, a 21-year-old welfare recipient, is currently on trial for the murder of her seven-week-old son Tyler. The boy died of malnutrition on August 27, 1997. The Bronx District Attorney is accusing Ms. Walrond of deliberately starving her infant due to a jealous outrage against Keenan Purrell, also 21, who is her former boyfriend and the father of the child. It is the prosecutor's contention that Ms. Walrond neglected her son because Mr. Purrell left her during her pregnancy for another woman. They further maintain that Tabitha was particularly upset when she discovered that Keenan was expecting a child with his new girlfriend.

In support of their charge against Ms. Walrond of manslaughter in the second degree, the district attorney has placed into evidence a series of pictures of the baby. One series of photographs taken eight days before his death show the infant's skin hanging loose from his tiny arms and legs. However the defense has brought into evidence other photographs taken by the child's grandmother showing Tabitha lovingly holding her son, and breast-feeding what appears to be a healthy baby.

This case is not only being tried in the courts, but also in the media. An example is an article written by Andrea Peyser from the *New York Post*. She writes, "The defense claims that Walrond, unable to produce enough breast milk, was denied lifesaving medical care for the baby by a cruel system unresponsive to the needs of the poor. Before any of the facts were presented, the case devolved into a forum for the usual suspects--politicians, professional advocates--to bash not only health care, but welfare reform and the Giuliani administration."

Ms. Peyser entirely dismisses Ms. Walrond's torturous experience with the welfare bureaucracy. But the facts of the case reveal a very different picture than the one painted by the *Post* journalist. Tabitha Walrond was a 19-year-old welfare recipient when she gave birth to Tyler. She breast-fed her baby every day, but was never

told and did not know that she was at great risk of providing insufficient nutrition due to breast reduction surgery she underwent when she was 15 years old. Furthermore, Tabitha and her mother made numerous attempts to obtain the medical rights to which they were legally entitled, but ran up against incredible bureaucratic roadblocks. The state department of health services, HIP, asked the city for an identification number to pre-enroll Tyler about five months before his birth. The city's Medicaid computer system rejected this request each time. As a matter of fact, Ms. Walrond never received the Medicaid cards for her son until two days after his death. As a result, Tyler was never seen at an HIP center. If he had been, the tragedy would never have occurred.

The media has placed great emphasis on the photographs shown by the prosecution, reporting how they seem to have shaken up a number of the jurors. Ms. Walrond herself was moved to tears as the photos were shown on a video monitor, and the court had to take a recess. However, lactation experts have stated that such pictures can be very misleading. When breast-fed infants are not receiving adequate nutrition they will compensate by utilizing their own fat reserves, and therefore do not act or appear sick. Then the infant can become suddenly severely ill, and can quickly die. This is why it is essential that a qualified pediatrician weigh the infant to determine his health. This never took place because Ms. Walrond did not have access to proper medical care.

This case is very similar that of Tatiana Cheeks, a 21-year-old welfare recipient in Brooklyn who lost her six-week-old infant due to malnutrition. Ms. Cheeks was also breast-feeding her child, and was similarly denied proper Medicaid identification so that she could not bring her child in to receive pediatric examinations. After some consideration, the Brooklyn district attorney's office decided against bringing homicide charges against Ms. Cheeks.

The tragedies suffered by these two young mothers are the consequence of New York Mayor Rudolph Giuliani's welfare policies. In an effort to achieve his goal of ending welfare by the year 2000, he has taken a number of steps to make it more difficult for the poor to obtain welfare benefits, Medicaid and food stamps. Indeed, it was only up until a few weeks ago that social service officials compelled all applicants to apply twice for assistance, including for Medicaid. The city stopped this two-day application policy only as a result of a federal lawsuit filed by advocates for the poor. Furthermore, welfare offices often refused to consider the applications of immigrants, or women who showed up without their husbands. Sometimes applicants were rejected if they showed up after 11:00 a.m. All of these tactics were so clearly illegal that a federal judge had to order them stopped. While the city has agreed to do so, an on-site audit has indicated that many of the old policies persist.

Ms. Peyser's article in the *Post* continued: "And Tabitha Walrond ... has been painted as the victim. So these are the wages of 30 years of welfare: A woman, a mother, has become so infantilized by the culture of dependency, she is no longer considered responsible for the boy she brought into the world."

In other words, having the state guarantee proper medical care for the child is fostering a "culture of dependency". Therefore, it is necessary to deny this care to an impoverished mother in order to help her become independent. If she fails, and the baby dies, the next step towards her development is to hold her responsible, and imprison her for murder.

It would easy to dismiss the twisted logic of this journalist if it weren't for the fact that these arguments are frequently used to justify the budget attacks on the poor. If this were not the case, Ms. Walrond would not be on trial. All of which leads to the following question: If the death of Tyler was a homicide, who are the real criminals?



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