

# Racist frame-up in Louisiana: the case of the Jena Six

Marge Holland, Alex Lantier  
31 July 2007

Six black high school students in the small town of Jena in LaSalle Parish, Louisiana, have been framed up on charges of murder and conspiracy. The charges came following a series of racist incidents triggered by black students' decision on August 31, 2006, to sit under a "whites-only" tree at the school. In a racist provocation the following day, three nooses in school colors were found hanging from the tree.

Local authorities, including the school superintendent and the district attorney, have provocatively sided with white students in the case and rigged the legal proceedings. On June 28, the first student to be tried, Mychal Bell, was found guilty of second-degree aggravated assault. He will be sentenced in September and faces up to 22 years in jail. Collectively, the six black students face more than 120 years in jail.

Following the incident at Jena High School last fall, three white students were found responsible for hanging the nooses and the principal recommended they be expelled. The superintendent of schools, however, overruled the decision and gave the students three-day suspensions.

In response, several black students, among them star players on the football team, staged a sit-in protest under the tree. An all-school assembly was convened. Arriving at the school escorted by armed police guards, District Attorney Reed Walters criticized black students for making too much of a "prank" and said, "I can be your best friend or your worst enemy. I can take away your lives with a stroke of my pen."

Later that autumn, on November 30, the main school building was set on fire. Local investigators said the cause was arson, but did not charge anyone with starting the blaze. The next day, Friday, December 1, a black student, 17-year-old Robert Bailey, was assaulted after being invited to a "white" dance hall, the Fair Barn. The man who beat Bailey was put on probation. On Saturday, December 2, a white man pulled a gun on Bailey and two of his friends, who wrestled the gun away from him. The black youths were arrested on charges of stealing the gun.

On Monday, December 4, a fight broke out at the high school, and a white student, Justin Barker, was sent to the hospital. He was treated and released and seen attending a social event that same evening, joking and laughing and bearing only a few bruises.

The black students now known as the Jena Six—Robert Bailey, Jr., Theo Shaw, Carwin Jones, Bryant Purvis, Mychal Bell and one unidentified minor—were charged with second-degree attempted murder and conspiracy to commit second-degree murder. The six were also expelled from school. The white student who attacked and beat up Robert Bailey was given probation.

After a May 20 report on the case in the *Chicago Tribune*, the charges against the six black students were lowered to aggravated assault, which under Louisiana law requires the presence of a dangerous weapon, such as a gun or hunting knife. Prosecutors listed Mychal Bell's tennis shoes as a dangerous weapon.

The Jena Six were jailed, and bond for the defendants was set at \$70,000 to \$138,000, exorbitantly high sums that the families could not pay. All six stayed in jail for weeks before their families could raise the needed funds, and two have remained in jail. When Mychal Bell, the first defendant to be tried, turned 18 in jail, the judge removed him from the juvenile facilities, put him in the Jena Parish jail and charged him as an adult.

During Bell's trial in June, the district attorney made inflammatory comments about the defendants: "To those who act in this manner, I tell you that you will be prosecuted to the fullest extent of the law and with the harshest crimes the facts justify. When you are convicted I will seek the maximum penalty allowed by law. I will see to it that you never again menace the students of this parish."

Bell was legally represented by a court-appointed public defender, Blane Williams, who is black. Williams repeatedly pressured Bell to plead guilty, but Bell refused. During jury selection, Williams did not challenge a single juror from the all-white jury pool. The LaSalle Parish clerk defended the all-white jury pool on the basis that it had been selected by a

computer. The final jury included two friends of the district attorney, as well as several friends and one relative of prosecution witnesses. The judge in the case was also white.

Defense attorney Williams openly sided with the prosecution. He called no witnesses, not even a high school coach who had previously written a statement testifying that Bell had not, in fact, struck Barker. The prosecution called 16 witnesses, mostly white high school students. Remarkably, Williams commented to a local paper, *Alexandria Town Talk*, “I don’t believe race is an issue in this trial. I think I have a fair and impartial jury.”

Although Bell’s parents were not planning on testifying at the trial, they were placed on a list of witnesses and, on that basis, barred from entering the courtroom. Several white witnesses who in fact did testify were allowed to remain in the courtroom. Bell’s parents reportedly were also told they should not speak to the media.

In an interview with Amy Goodman of *Democracy Now!*, broadcast on July 10, Bell’s father Marcus Jones accused Williams of “working with the DA for to get my son convicted” in what he branded “a 2007 modern-day court lynching.”

Speaking of the pressure Williams put on Bell to plead guilty, Jones said, “Any time a plea bargain be thrown on the table for any man here in LaSalle Parish, that person is innocent.... That’s a dead giveaway here in the South. So [Williams] was putting pressure on Mychal, threatening him, you know, about the time he gonna get...and his life is over with, you know, just that old Jim Crow intimidation method.”

Bell was found guilty of second-degree aggravated assault and conspiracy on June 28 after the jury deliberated for less than three hours. Bell will be sentenced in September and faces up to 22 years in jail. The rest of the Jena Six await similar trials.

The shameful events of the Jena Six frame-up illustrate how the “law-and-order” mentality and lack of economic opportunity in rural Louisiana—conditions that are, in fact, prevalent in many small towns in America—have allowed elements and attitudes of Jim Crow-era segregation to persist until today.

Jena has roughly 3,000 inhabitants, 12 percent of whom are black. The main industries include a prison complex, a Wal-Mart retail super-center, and a branch of Arrows Industry, a mid-size machine tool and mechanical services firm. Median household income in 2000 was \$30,938 (compared to \$44,334 for the entire US); 15.1 percent of the population were below the poverty line, including 20.2 percent of those under age 18 and 17.0 percent of those aged 65 and over.

The town voted 4 to 1 in favor of George Bush in the last

two presidential elections. Jena’s infamous Juvenile Correctional Center for Youth was forced to close its doors in 2000, only two years after it opened, due to widespread brutality, including the choking of juveniles by guards and other forms of assault. The US Department of Justice sued the private prison amid complaints that guards paid inmates to fight each other and had laughed when teens tried to commit suicide. The center was reopened in 2005 to house New Orleans prisoners displaced by Hurricane Katrina. Human Rights Watch documented widespread abuse of inmates at the facility in its report, “Louisiana: After Katrina, Inmates Face Prison Abuse.”

Housing in Jena is still largely segregated, with more comfortable neighborhoods populated almost exclusively by whites. As a result, certain elementary schools in the area have only white students, and some of these students and their families resent their incorporation into Jena’s racially integrated high school. Several of the white students involved in the Jena Six case—including most of the prosecution’s witnesses and the students who hung the nooses in the “white tree”—came from all-white elementary schools.

Supporters of the Jena Six have been holding weekly protests and organizing meetings. A gathering in early May was attended by supporters from other northern and central Louisiana towns and representatives from the American Civil Liberties Union (ACLU), the National Association for the Advancement of Colored People (NAACP) and National Action Network, a group founded by the Rev. Al Sharpton.

In March 2007, the families of the accused began their own branch of the NAACP in response to the charges in March 2007. The case has also been taken up by the Friends of Justice, a group formed in 1999 that supports community organizing around cases of criminal justice abuse in rural Texas and Louisiana. A protest march is planned in Jena for July 31—the original date set for Mychal Bell’s sentencing.



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