

Marty was the key His dogged efforts to prove his innocence, says his close friend, kept everyone focused even as hopes faded

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After almost two decades of bitter disappointments - from his arrest and conviction for the murder of his parents to the many hopeful but unsuccessful hearings and appeals during his 17-year incarceration - Marty Tankleff's life has changed suddenly and dramatically in the past two weeks. Not only is he now out of prison, but all charges against him will be dropped on Jan. 18. Finally he will be free.

Most of the media coverage has focused on how this innocent man was saved from his plight by a combination of factors: a dogged private investigator who had the ingenuity to locate witnesses and unearth evidence that had long been overlooked by Suffolk police and prosecutors, diligent lawyers from top-notch firms who worked meticulously and tirelessly on his numerous motions and appeals, a savvy public relations campaign that generated tremendous local and national media coverage, and loyal family members who were unshakable in their support for Marty.

Every part of this story is entirely true, and these people fully deserve the credit they have received. But it isn't the full story. Missing from the narrative is the vivid truth that Marty himself was the central heroic actor most responsible for getting back his freedom.

From the moment he landed in prison in 1990, Marty worked on proving his innocence. While he helped numerous other inmates with their cases and appeals - including one who had also been pressured into a false confession, and was later exonerated - he dedicated himself to his case with passion and energy.

By his own count, Marty wrote more than 50,000 letters while incarcerated - most of them by hand or with a clunky typewriter - trying to convince people to help him with some aspect of his case. Many didn't respond, of course, and many who did remained skeptical at first. But in 1995 he managed to persuade attorneys Stephen Braga and Barry Pollack to make the trip from Washington to consider taking him on as a pro bono case. Somehow the chemistry worked, and they pledged to work for as many years or decades it would take until Marty was exonerated.

When private investigator Jay Salpeter, a former New York City homicide detective, received a letter from Marty in December 2000, he remembered the case and assumed that Marty was guilty. But something about Marty's letter convinced Salpeter to visit him, where he grilled him and made him take a polygraph test. After Marty passed the test, Salpeter dug deeper and then pledged to keep investigating until he eventually cracked the case.

Lonny Soury and Rick Friedman were introduced to the case by Salpeter in 2003, and they too became "infected," as they put it, by Marty's spirit and determination. Soon they were spending the majority of their working days on public relations for this nonpaying client. They spoke with Marty on a daily basis, attended all sessions of the 2004-06 court hearing, set up a Web site, blog and message board, and vigorously promoted the story to New York and national media.

From his family, Marty's cousin Ron Falbee and aunt Marianne McClure were particularly visible and vocal from the beginning. But they, too, were driven by Marty. When court decisions and appeals went against him, and when he had to spend yet another holiday season behind bars, Marty was the one to lift their spirits, rather than the other way around. Throughout his ordeal, Marty found a way to make people want to help him.

I experienced Marty's magnetic charm myself. Although we had known each other since early childhood, and I had publicly supported him as editor of our high school newspaper soon after the murders, we lost touch after he went to prison. But when I heard about new developments in his case in 2004, I decided to visit him.

Initially I was curious about what his life had become, and I didn't expect us to have much in common. Yet I came away feeling enthused and excited, convinced that Marty would eventually prove his innocence, and determined to do whatever I could to help.

Over the next several years, as if caught in a spell, I became heavily invested in Marty's life. I visited him six more

times, we exchanged frequent letters, and I "worked" for Marty by carrying out research that usually involved complex Internet searches and printing documents - an interesting twist for a professor who usually has research assistants working on my own projects.

What explains how this young man who had been described by prosecutors as a detached and unemotional spoiled brat could have such a powerful and gripping effect on so many busy people?

How could someone utterly powerless - who had spent his entire adult life locked up in a tiny cell - manage to persuade others to sacrifice their time and resources to help him?

In person and in his letters, Marty has an authenticity that is disarming, and his character and integrity are inspirational and contagious. When we would meet, he never seemed self-conscious about his prison clothes, and he always welcomed me with a huge smile and cheery attitude - a stark contrast to the somber people sitting around us in the visiting room. He even had a friendly, jocular relationship with most of the guards, who regularly allowed him extra time and privacy for his visits, additional phone calls, and who seemed to respect the way Marty treated everybody so graciously. Over the years, both inmates and guards alike gave Marty moral support about his innocence, and many of them celebrated his release.

Our conversations would usually focus on his case, of course, but we would also talk about national and world events that he followed in the news, other inmates he was helping with their appeals and about prison life in general. Strangely enough, I never had the sense that Marty was suffering in prison. While he clearly was doing everything possible to win his freedom, he still made friends, educated himself, and had a full-time job in the prison law library (for \$7.75 a week).

Somehow, despite losing his parents and more than 19 years of his life, he managed to stay positive and focused.

In writing, Marty had a way of asking favors that people couldn't refuse. He was neither pushy nor desperate - either of which would have turned people away. Instead, he always asked with dignity, humility and confidence. Even though I was swamped with professional and family obligations, I could never turn him down.

When he asked if I would consider writing an op-ed about his case, I launched into a piece that was eventually published in The New York Times in 2006. When he asked if I would be willing to write an amicus brief on behalf of our high school '89 classmates for his final appeal, I promptly went to work, and painstakingly tracked down as many classmates as possible, 54 of whom (almost all I had contacted) signed it enthusiastically.

When I think of the best way I can capture his overall charm, I remember how Marty usually ended his letters with the phrase, "Write when you can."

He understood that I had a busy life, and he never expected me - or his other active supporters - to drop everything to focus on him. But those four gentle, understated words also made him impossible to ignore or refuse.

Marty's release from prison two weeks ago led to a joyous gathering of all of his close supporters. I was fortunate and privileged to be able to celebrate with them on Long Island, to get to know family members, and to toast our common victory.

Although it was truly a triumph for "Team Tankleff" and star player Jay Salpeter, our captain, leader and inspiration was Marty Tankleff himself.

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Abstract (Document Summary)

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