

# Message in a Bottle

## Biographical Series on Tyler County Folks

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### Garry Mattingly – Fifty Years a Lawman

“I remember when the Miranda Rights went into effect (1966). We thought to ourselves, ‘How can you get anyone to confess, when you have to tell them that?’ It bothered some of the old timers.”

He was born on a farm with no electricity in Perry County, Missouri, on the Mississippi river. At 14, his family moved to Houston.

He married Elisabeth in June of 1953 in Houston. “She’s been with me through it all,” Garry said. “She has the education, being a Rice graduate.” A Woodville native, she taught for 40 years, the last 24 years for Warren High School. They will celebrate 59 years together in 2012.

After serving in the military, he became a reserve deputy for Harris County Sheriff Buster Kern in 1962, and then an officer for the Atlanta Police Department (PD) during the height of the Civil Rights movement.

“I saw Martin Luther King Jr. almost daily, and the day before he got shot,” Garry said. “I never had a problem with him.” King was not a violent person and he spoke against violence.

Garry paused.

“After King was shot, we drove patrol with four men to a squad car twelve hours a day. We took no chances. At King’s funeral in Atlanta, so many dignitaries came from all over the world. It was a very tense time.”

Garry made sergeant for the Atlanta PD and remembers Bobby Kennedy arriving. As the plane taxied, “I saw Bobby Kennedy look straight at me. When he got off the plane, he walked straight up to me and shook my hand, saying, ‘good to see you again officer.’ We had never met.” Garry chuckled. “It was a photo op for sure. Kennedy went onto California and Sirhan Sirhan shot him.”

Garry graduated from several police academies, including the FBI Police Academy, and holds a Master’s Certification in Texas and a Master’s Certification with firearms with the FBI. He is also a finger print expert, when Tyler County needs him, knowing how to expertly compare and classify prints. Ongoing education is constant for today’s officers.



In 1972, the Mattinglys came back to Woodville. He went to the Ford dealer in Woodville to get a new car, and their old car died in the parking lot. At the Citizens State Bank Webb Ashworth gave the loan.

Noticing Garry's résumé, Ashworth said, "We need a police chief."

"I accepted it, since I needed a job," Garry said, chuckling a bit. During Garry's six years as Woodville Police Chief, there was a horrendous murder, the details still fresh in his mind.

A woman lived in the apartments on Pine Street, a short distance from the Tyler County Sheriff's Office. She worked at Keller Industries north of town and had called in sick.

A couple who lived next to her in the apartments had a "friend" visiting from Kentucky who was also applying at Keller. Hold your breath ....

That "friend" forced his way into her apartment and began to rape her. She broke free, ran into the bedroom and tried to call the police. He caught her and slit her throat. Her twelve-year-old son came home from school and found her!

"When we arrived," Garry said, "she was naked, kneeling with arms on the bed. We hoped it was not as bad as it looked. Blood everywhere. When she was moved, her head nearly came off. He had nearly decapitated her!"

"We called the Houston PD, and they could not find print one. We had no idea who did this."

The apartment neighbors said their "friend" had left town. As Garry and his team investigated, the man had used a false name on his Keller job application, but he had used his actual social security number. That revealed another shock! He had recently escaped from a Kentucky jail, having been jailed for rape!

"I got City Judge Tom Phillips to give me an arrest warrant," Garry said. Texas Rangers got the murderer back to Tyler County.

District Attorney (DA) criminal investigator B. J. Vardeman and Chief Garry Mattingly interrogated him from 8-12 p.m. He confessed.

B. J. and Garry went to Kentucky and interviewed the rape victim. The assailant and his brother had raped her in a laundry mat. He threatened her – he would kill her if she told anyone. She told B. J. and Garry, "I sit in a rocking chair every night with a shotgun, afraid he might come back." She came to Texas and testified.

District Judge Smith presided, the father of current District Attorney Joe Smith. Then DA George Kirkpatrick (uncle to Cindy Whisenant) asked for the death penalty.

One woman juror held out though, so he got life in prison instead of the death penalty. Garry related, "She could not believe that he could not be rehabilitated. A lot of people were upset."

The murderer threatened to come back and shoot Garry too, a reality for all law enforcement officers, the threat of retaliation from criminals.

Garry became Police Chief for Rosenberg, for about 5 years, then came back to Woodville in 1991 as investigator for DA Jim Clark for about eight years and two years with Joe Smith. He retired and became bailiff with the Tyler County Courthouse, retiring again in 2011. In 2008, he won the Precinct 1 Constable's race, but plans to retire for good in 2012. That is 50 years as a lawman.

Today, as a Hillister Baptist Church Deacon, "I have five widows," he said. One day, "I brought all my widows in the church for a lunch."

Virginia Haynes reflected, "This is one of the perks of being a widow. Only a deacon can have five girlfriends and his wife doesn't care."

What advice does he have for young law enforcement officers?

“You have to be dedicated,” he firmly said, even hesitating as to re-enforce his point. “Never tell someone you are going to do something, unless you are going to it.” That seemed obvious, so he emphasized it. “And know what you are talking about.”

“Know the law. Enforcing the law ... sometimes is hard to do. You are going to make some people very unhappy. You are going to make others very happy.” Garry repeated this in different words. The lawman’s job is “not to make people unhappy” and “not to make people happy.”

“You are NOT to make people happy or unhappy. You just do your job. Don’t make your own law.” Certainly, it takes a special breed of person.

“Furthermore, it is not illegal to offend an officer. One cannot get angry simply because someone offended you. You just have to do what you know is right.”

And when to use your gun?

Garry smiled. “I have been fortunate not to have used it much. Have been able to handle myself and people well. Had to put a few knots on people’s heads. Yet, at my age, I think I would take a shot, rather than shoot someone. I might hesitate for myself.” He paused. “But I would not hesitate to shoot to protect someone else.”

That’s the kind of lawman we need, fifty years in the making.