

# Three Dead—Nobody Guilty

William Allan

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FLINT—The acquittal by an all-white jury here on Feb. 25 of three white Detroit cops and a black private guard in connection with the beating of eight black youths and two white girls in the Algiers Motel in 1967 was not unexpected.

Auburey Pollard, Carl Cooper, Fred Temple, three black youths, were gunned to death in the motel by Detroit cops and after 3 years no one has been convicted of the massacre. Ronald August, one of the cops, was acquitted of first degree murder charges last summer even after he had admitted killing Pollard, whom he said grabbed at his shotgun. Pollard was unarmed, while August had a pistol, blackjack and shotgun and the aid of several cops in and around the room.

The other cops on trial this time in Flint with August were Robert Paille, David (Snake) Senak and the black guard, Melvin Dismukes, The cops and the guard were charged with conspiring to deny the civil rights of ten persons and the case was handled by federal prosecutors before Federal Judge Stephen Roth and an all-white jury almost barren of workers in this General Motors controlled town.

After covering August's trial in Mason before another white judge and an all-white jury, where Wayne County prosecutor Wasserman handled the prosecution, some conclusions after this Flint acquittal are obvious.

In both Wasserman's and federal prosecutor McIntyre's courtroom technique ineptness was evident. Wasserman for example allowed Mason trial Judge Beers to tell a jury they could either find Detroit cop August guilty of first degree murder or let him off. Wasserman sat silent. Even the most conservative legal circles commented on this that Beers could have given the jury another alternative such as second degree murder or manslaughter. He did neither and the jury obligingly came out with a not guilty verdict.

In federal prosecutor McIntyre's case, his presentation was so inept that Federal Judge Stephen Roth several times admonished him for his conduct. The jury of course was not unaware of this and neither was the defense table.

While the prosecution presented over 30 witnesses, the defense, alert to the ineptness of the government's presentation, put on four routine witnesses and rested their case to the "astonishment" of the prosecution.

The jury was out a few hours, not long enough, even for the reporters to get a good poker game going before coming back with a "Not Guilty" verdict for the four accused men.

But all the "Not Guilty" verdicts will not obliterate the murderous, brutal picture of the events the night of July 27, 1967 in the Algiers Motel. The deadly and macabre "game" played by cops with terrified motel guests was not heard about or brought out by the federal prosecutors.

That was the "game" where motel guests were lined up and subjected to racist verbal and physical abuse. A shotgun butt was broken over the head of one of the guests. They (the guests) were taken to nearby rooms where they were made to lay on the floor while shots were fired into the ceilings and floors to make someone divulge the hiding place of imaginary weapons.

When August, Paille, Senak and Dismukes departed early on the morning of July 28<sup>th</sup>, three dead bodies were left behind. Others were so beaten they had to drag themselves to hospitals for first aid for concussions. All three

cops, August, Paille and Senak turned in reports of the incidents in which none admitted any killing. Later August asked for his report back and admitted killing Pollard.

August has now applied for re-instatement to duty in Detroit. Pending court action in their cases, Senak and Paille still stand suspended.

While the three black youth were gunned down in Detroit, the defense, paid for by the Detroit Police Officers Association (DPOA), a military-political group, was able to get the Establishment to move all trials about the Algiers murders out of Detroit. The reason was the cops couldn't get an "unbiased" trial.

In Detroit, such a trial would have seen possibly a working class dominated jury, inter-racial and perhaps a black judge. It would have been conducted under the eyes of a city of over two million population with a labor movement of close to 750,000 and a militant black liberation movement.

Thus the pattern for beating a murder rap by white cops of black youth is set. If Senak and Paille are ever tried for their operations in the Algiers Motel, the Establishment will find another town like Mason or even Flint where no white cop will be convicted of killing three black youths.

It's like Mrs. Pollard, mother of Aubrey Pollard said, "This is the kind of justice that blacks have come to expect from a white man's court."

Mrs. Temple, mother of murdered Fred Temple, shook her head sadly and asked, "Why couldn't they have tried this case in Detroit where my boy was killed, why did they have to move it to Flint and with all white folks on the jury?"

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