

People's Tribunal Condemns Cops

Defendants found guilty of Murder in the 1st degree

Frank H. Joyce

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The worst thing one could say about the Algiers Motel Tribunal is that it was Recorder's Court upside down.

If the tribunal was biased and weighted against the four white defendants, Detroit Patrolman Robert Paille and Ronald August, National Guardsman Theodore Thomas and private guard Melvin Dismukes, then it was weighted in exactly the same way that Recorder's Court proceedings are against Negro defendants.

The twelve man jury, whose foreman was Negro author John O. Killens, found all four defendants guilty of Murder in the 1st degree. The jury included Mrs. Rosa Parks who began the civil rights movement in 1955 by refusing to move to the back of a bus in Montgomery Alabama. Mrs. Parks is now employed by Congressman John Conyer's Jr. Also included on the jury were two whites, Miss Patricia Murphy and this writer.

The verdict was based primarily on the testimony of three witnesses, Mr. James Sawyer, Mr. Michael Clark, and Mr. Lee Forsythe. All three young men were present in the motel at the time the murders took place. They testified that they had seen August take Aubrey Pollard into a room and that they had heard a shot. Pollard's body was found in the room into which August had taken him. Clarke testified that he had seen Temple's body and that Paille who was standing nearby had said, "I killed him and I'll kill you too if I feel like it." Prosecuting Attorney Milton Henry argued that all four men were guilty of first degree murder even if they had not all pulled the trigger. The argument was based on Michigan law which says in effect that death resulting from the commission of a felony is first degree murder no matter who pulled the trigger. (The same law is being applied, for example in the case of the only Detroit Policeman, Jerome Olshove who was killed during the riot. Olshove was killed when the gun of his partner, Raymond St. Onge, discharged while he was attempting to strike a prisoner Dany Royster, with the butt of his shot gun. Both Royster and another man Charles Latimer another prisoner who was handcuffed at the time have been ordered to stand trial for the first degree murder of Patrolman Olshove.)

The defendants, who although subpoenaed did not choose to appear at the tribunal were represented by "appointed counsel," attorneys Sol Plafkin and Russell Brown. In their closing argument they attempted to argue that the "system" had killed Fred Temple and Aubrey Pollard thereby absolving the defendants of individual guilt. The jury agreed that the system was guilty but was emphatic in its judgment that the testimony of the witnesses had established the individual guilt of all four men.

The sentence, as announced by the de facto judge of the tribunal Kenneth Cockrell, was left to the people to determine and to carry out.

The tribunal which was originally to have been held in the Dexter Theater, took place at the church of Rev. Albert B. Cleage. The white owner of the Dexter Theatre had barred the tribunal after H. Rap Brown's speech at the theatre on the previous Sunday. Despite the change in location more than 3,000 people sought to attend. Hundreds were turned away.

It is likely that the tribunal technique has been established as a vehicle which will be used again.

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