

Algiers Murder Trial

Chris Singer

1969

While the rest of the “Motor city was Burning,” to paraphrase the MC5, ironically to the tune of “Light My Fire,” the annex of the former Algiers Motel was quiet. Guests were sleeping, “eating hot dogs” and “listening to music.” It was quiet until the authorities arrived.

When the authorities left, there remained behind the bodies of three black youths—all of them shot to death. All of the other guests had been beaten—two white girls, “caught” in the company of black men, had been stripped naked and severely beaten.

One reporter, for one of Detroit’s Establishment newspapers, described the trial of suspended Detroit Police Officer Ronald August as: “A classic piece of Americana.”

Sad as it is, he’s right.

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It’s a 100 mile drive from the flashing neon palm tree of Detroit’s Desert Inn Motel, northwest to the ornately Victorian Ingham County courthouse in tiny, Mason, Michigan.

But, the two places are now linked as a jury of 13 women and one man sit in the courthouse hearing testimony that will help them decide if a Detroit police officer committed first-degree murder in the motel 21 months ago.

Ronald J. August, a slender, quietly serious suspended policeman is charged with the murder of 19-year-old Aubrey Pollard, a friendly fun-loving young man who liked to draw and box.

Pollard was found dead in the Manor House, the annex of the Algiers Motel, killed by a blast from a shotgun. Pollard was black. August is white.

Pollard was one of three black men shot to death in the motel on the night of Wednesday, July 26, 1967 during the height of the rebellion that began on July 23rd. The other two men killed were: Carl Cooper, 17; and Fred Temple, 18.

The bodies of Temple and Pollard were found in room A-3, on the ground floor of the three-story motel annex located on Virginia Park at Woodward, a short distance from 12th St. and Clairmont, where the rebellion began. Cooper’s body was found in another part of the motel building, that has since been renamed the Desert Inn.

Their deaths were routinely listed as Nos. 31, 32, and 33, in the rebellion that was to claim 43 lives. Members of the black community and the Detroit Free Press investigated the deaths that at first didn’t even appear in police reports—and then were listed as “snipers” killed in battle.

Now the incident is called the “Algiers Motel Massacre.”

The Wayne County Prosecutor’s office was forced to issue warrants against August and another white policeman.

August and Robert Paille, were charged with first-degree murder.

The charge against Paille was dismissed in the Recorder’s Court due to “lack of sufficient evidence.”

August, Paille, a third white policeman, David Senak and a Negro private guard, Melvin Dismukes, were later charged with “conspiracy to commit a legal act in an illegal manner.” All four also face federal charges under the 1866 Civil Rights Act of “conspiracy to violate civil rights,” a legal device heretofore used only to indict white racists in the South where local courts will not act.

In their private probe, the *Free Press* concluded that the positions of the victims’ bodies indicated they had been killed by a single shot at point-blank range, while lying in a “non-aggressive” position on the floor—hardly the deaths of “snipers.”

The private guard was acquitted last May of felonious assault charges stemming from the massacre. August’s case has been repeatedly postponed.

The trial went to Mason when August’s Detroit Police Officer’s Association (DPOA) supplied attorney, Norman Lippitt, asked for a change of venue, claiming pre-trial publicity precluded his client from receiving a fair trial in Wayne County.

Mason is the county seat of Ingham County. Lansing is about 10 miles from the small town, where Malcolm X spent part of his youth.

Oakland Circuit Judge William J. Beer is presiding over the trial. He entered the case as visiting judge to the Recorder’s Court.

The trial began in the stately old courthouse, with the selection of the jury, a process that took only a few hours—an unusually short time for a criminal trial of this seriousness. The jury of 13 women and one man is all white, and almost all middle-aged. At the end of testimony, the jury will draw straws to pick the 12 who will decide August’s guilt or innocence.

The lone male juror is a middle-aged machinist. Seven of the women are housewives, one a local newspaper reporter, the others secretaries or salesgirls.

After the jury was chosen Judge Beer announced a key legal decision that could help the prosecutor, Avery Weiswasser. Beer ruled admissible as evidence a series of contradictory statements August made to police investigators.

August, Paille and Senak never filed a report on their “search for snipers” at the Algiers. Police were first alerted to the killings when a black citizen called the Wayne County Morgue to pick up the bodies.

August first denied any knowledge of the shootings.

He then told police that he had shot Pollard in the motel. Later, he changed his story and said he shot him, but, in self-defense. Beer ruled that: “The value or non-value of the said statements...shall be for the triers of fact (the jury) to decide.”

The man who had been in command of the 13th Precinct, at Woodward and Hancock, on the night of the killings, Inspector Russell Galloway, testified that he found out about the killings the day after they occurred. He said he knew some of his men had been in the annex on that night.

He confirmed that no report, required procedure in even the most minor police case, was filed on the killings until three days after they occurred—and then only because a Homicide Bureau detective asked for it.

Galloway’s testimony followed the opening statements.

Weiswasser, a simple looking, middle-aged man, told the jury the state would prove no sniping went on at the motel.

He said August acted not as a policeman, but as a man in killing Pollard.

Lippitt, a much younger, sharper dressed attorney (who shaved his sideburns to appear before a small-town, rural jury) made an opening statement designed to play upon racial fears.

Lippitt, who serves as attorney for the entire DPOA organization, said police were operating under “battle-ground conditions.” He described Pollard, a youth known for his friendliness who had never been convicted of any crime, as a “potential killer.”

He said “there is no way to hide” the killing, but “simply because Ronald August shot and killed a man does not make him a murderer.”

Another Detroit policeman, Gerald Kiss, testified that August confessed the killing because his conscience was bothering him. “He said he couldn’t live with it,” Kiss said, “He knew it was going to come out.”

August, who has appeared in court with his wife and his mother, is a Roman Catholic. He joined the Police Department soon after being married when he found he could not be accepted for apprentice training in any skilled trade.

His greatest pleasure in police work was playing in the police band.

Karen Malloy, a 20-year old white girl from Columbus, Ohio, told the jury of being dragged from a room in the motel, and being lined up against a wall by police.

She told the jury how police fired shots into the ceiling of a motel room and hit another white girl in the head with a rifle butt. She told the jury that she was stripped naked by police, who called her "all sorts of vulgar things."

Miss Malloy was convicted of prostitution some time after the massacre. She was arrested this year while shopping at the downtown J.L. Hudson's store, and held in the Wayne County Jail in lieu of \$25,000 bond by Recorder's Court Judge Robert Colombo. Colombo said he wanted to "insure her presence" at the trial.

The American Civil Liberties Union (ACLU) managed to get the bond lowered to \$5,000. August has been free on \$5,000 bond.

Two more witnesses told how it was August who pulled Pollard from the line up of motel guests who had been dragged from their rooms and forced to stand against a wall while being beaten, prodded and insulted by police.

Lee Forsythe and Michael Clark told of being beaten. Clark described how August had thrown a knife on the floor and demanded that Pollard pick it up. Pollard refused.

Forsythe described Pollard's apology for having broken the butt of August's gun.

"The police said something about he (Pollard) had broken his (August's) gun," Forsythe said.

"How had he broken the gun?" Weiswasser asked.

"By hitting (Pollard) across the head," Forsythe replied.

"He (August) grabbed Pollard. Pollard told him he was sorry for breaking his gun. He took him into a room.

"I heard Auburey hollering for a little while. I heard one shot. He (August) came out of the room and started to whisper."

Clark told the same story but added that August said, "That black nigger didn't even kick," when he came out of the room.

National Warrant Officer Theodore Thomas, who had been accused of the killings by Detroit police at one time, told the jury of the macabre "death game" played by police in the motel that night.

Police claimed to have been searching for "the gun" fired by "snipers."

"He (Patrolman David Senak) made him (a man pulled from the line) lay on the floor and fired a shotgun- into a corner," Thomas said, "then he looked at me and winked."

"He asked me if I wanted to shoot one. I went along with the game. I pulled a man out of line and told him to lay on the floor and be quiet and then I shot into the ceiling."

He quoted one of the people standing against the wall as saying: "Tell them where the gun is. Carl (Cooper) is already dead."

Among those who heard Thomas testify was Mrs. Auburey Pollard Sr., the mother of the man August is accused of murdering. She told one reporter that the trial was moved to Mason, to keep her from witnessing it.

She complained that Mason was no place for the trial to be held and said she could find no place to eat. "I'll bet he (August) got something to eat though," she said, "those polices all stick together."

The emotional, middle-aged mother was dressed simply but neatly. She was asked if she bore a grudge against all police.

"Well, I'll tell you this," she replied, "if they like him (August) then they're no good."

A State Police trooper was the next prosecution witness. John Fonger described conditions inside the motel as "out of control." He told the jury he saw two bodies while in the motel, and said he heard a policeman tell the persons lined up facing the lobby wall: "You'd better start praying."

The trial is expected to last until mid-July. Lippitt is expected to tell the jury that the testimony of prosecution witnesses such as Forsythe, Clark and Miss Malloy cannot be accepted as reliable.

Defense will probably repeat the claim that Detroit was a "battleground," August had been working long hours and police were distressed at having to "stand by and watch" while looting was going on without being allowed to shoot looters.

Testimony in what is actually the second “Algiers Trial” entered its third week on Monday, May 26.
The first “trial” was the People’s Tribunal held on August 30, 1967 at the Shrine of the Black Madonna Church.
The trial was organized by the City-wide Citizens’ Action Committee (CCAC).
All three officers, August, Senak and Paille were found guilty of murder.

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