



Mark Worth

What's Been Proven

Last Monday morning, the trial of six black students charged with causing a "disturbance or contention" came to a close when Judge Hill declared a mistrial. People had been discussing the trial with the jury, making it impossible to render a fair and impartial verdict. However, this unexpected turn of events should not obscure what the trial showed, did not show, and meant for Northern Michigan University.

At the time the trial ended, the prosecution had just rested its case, and the defense was scheduled to begin. Certain things had been proved by the prosecution, but other vital things were not. The prosecution had established that the offices in Kaye Hall had indeed been damaged to the tune of about \$270. But the prosecution could not prove who did the damage.

This is what the prosecution was able to prove about the "Marquette Six":

Vernon Smalls—Vice President Niemi testified that he saw Smalls for only about 30 seconds, during which time Smalls addressed the Sit-in and said that it was important that the group stay together.

Dave Williams—Williams was not even in Kaye Hall at the time the disturbance was supposed to have taken place, but was acting in an official capacity at the hearing taking place at the same time in the University Center. Williams made a phone call to Kaye Hall where the sit-in was going on, and relayed news of the hearing to the demonstrators.

Christopher Poole—Although newspaper reports said that he threatened Niemi with a two-by-four, testimony given by Niemi said that Poole had held a curtain rod in his hands. Poole held it like you would hold a golf club and never raised it above his waist, and never said anything.

Pat Williams—At one point Pat Williams told Dean Niemi to sit down. There is no evidence, however, that Williams was ever near the area where the

damage was done. He was on the other side of the campus when the sit-in began.

Loren Lobban—He was standing in the corridor in front of the door to room 106 and would have had to move if anyone had wanted to enter. However, there was no testimony that anyone was denied entrance to the offices by him.

Phil Harper—Harper was standing in front of a door between Dean Kafer's office and a reception area, and closed the door when someone attempted to go through it.

That is the extent of the testimony offered against the defendants, and almost anyone can see that it doesn't amount to much. That these insignificant acts should be called illegal is a mockery of justice, and makes people wonder why charges were pressed in the first place. Dave Williams wasn't even in the building, and the others are accused of having done the most petty and vague things.

But the law they were charged under is equally vague, and you don't need much evidence to convict a man.

Obviously, charges were brought against the wrong people. Someone did damage the offices, and I agree that someone should pay for the damages. But bringing people to be punished in court will not repair the damages in those offices.

After the sit-in, the Black Student Association offered to pay for the damages. The logical thing for the University to have done would have been to accept the money. Instead, the University decided to make examples of the leaders of the black community at Northern. It is because the University decided to prosecute the political leaders of Northern's blacks that this is a political trial.

Since no real evidence could be brought against the "Marquette Six," the prosecutor has constantly emphasized one point: So-and-so was a leader in the black community. He failed to say, however, if the crime was being a leader or being black.