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Jay Clark, an attorney for Brad Allen, holds up fingerprint samples during closing arguments Tuesday.

Snow, Allen fate near Miami flier jury deliberations enter Day 2

By Gregory Flerey
Journal-News
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A jury will resume deliberations this morning in the trial of two former Miami University students accused of posting racist fliers at the Center for Black Culture and Learning.

Juries deliberated a little more than four hours on Tuesday after closing arguments in Butler County Area I Court, where Nathaniel Snow and Brad Allen are on trial on charges of criminal trespass and criminal mischief.

Butler County Assistant Prosecutor Jeff Giuliano urged jurors to reject defense arguments that the two students had a privilege to enter the center after hours and therefore were not trespassing.

"You shouldn't think that privilege if you go in there and do something the center wasn't designed for, if you go in and post fliers," Giuliano said. "They went in there beyond the hours. They went in there beyond the purpose."

Snow and Allen allegedly went into the center after it closed Oct. 30 and posted 50 racist fliers. The discovery of the fliers led to

investigations against racism on campus.

Defense attorneys used closing arguments to again suggest the fliers might have been placed by the person who reported them to police: Sydney Carthell, Miami's assistant director of campus affairs. Attorney Kenneth Lawson told jurors the fliers were a ruse intended to subvert Carthell's career.

"Where were you, Syd?" Lawson said. "This was a racial slantback. Let's call it what it was."

Carthell, like Snow and Allen, is black. (Please see NEWS, Page A2)

Miami

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Defense attorney Jay Clark attacked the investigation of the incident by the Miami Police Department, saying detectives failed to examine all possible suspects and motives.

"It's a half-assed investigation," Clark said. "It's a half-assed case. You can't convict somebody on that. You wouldn't want to be convicted on that."

Lawson moved for a mistrial after objecting to a remark in Giuliano's closing arguments. Giuliano chided the defense lawyers for saying Snow and Allen did not post the fliers, but their actions are protected by the First Amendment if they did.

"Either you did it or you didn't," Giuliano said. "Stand up and tell us."

Judge Robert Lyons overruled Lawson's motion for a mistrial

based on the Fifth Amendment, but ordered the jury to disregard Giuliano's remark and not to consider why the defendants did not testify.

Outside the courtroom,

Carthell's boss blasted the defense lawyers. Guy Hunter, director of Miami's department of affirmative action, said Carthell testified truthfully about finding the fliers.

"What they're doing to this man is downright wrong," Hunter said. "That was a shameful display by the attorneys. They had no regard for this man's name whatsoever."

