

Mistrial encourages supporters

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Mitchell, 31, of 760 N. Patterson Ave. faces the death penalty if he is convicted of killing Wilson. His new trial will be held on Oct. 13.

Courtroom drama

A dramatic turn in the case occurred when James Robert Ford, a surprise witness, was brought from a South Carolina jail Thursday to testify that he had seen three men beat Wilson and that neither Mitchell nor Hunt was among them.

Ford also testified that he was handcuffed for four hours while two Winston-Salem police detectives questioned him about the case in Columbia.

"One of the reasons I told them I would write a statement was to get the handcuffs off of me," Ford told the court.

But Detective R.A. Spillman said the handcuffs were removed when Ford was questioned.

And Ford echoed Little's earlier testimony that police were aware that he had witnessed the beating.

Tired but unemotional

Mitchell, dressed in a beige suit with a brown tie, appeared tired as the jury continued deliberating his fate Saturday morning. When the mistrial was declared late Saturday afternoon, he sat back in his seat but showed no emotion.

"It (the criminal justice system) is threatening to everybody, especially black people, when someone is almost put to death on such flimsy evidence," Marshall said. "There is no justice in Tisdale's court anyway."

The district attorney did not return repeated telephone calls this week from Chronicle reporters.

However, Tisdale said in his closing arguments on Friday that the criminal justice system in Forsyth County is fair to every citizen, regardless of race.

"People get upset with the prosecution, especially minorities," Tisdale said to the jury of nine whites and three blacks. "They say there is a lack of minorities on juries. They say we cater to rich white people and prominent blacks and don't care about anybody else. None of this is true."

A pleasing outcome

The Rev. John Mendez, pastor of Emmanuel Baptist Church, said he was pleased with the outcome of the trial.

"We had hoped for a greater victory," he said. "A mistrial is the next best thing."

Mendez suggested that the district attorney's office and the police conspired against Mitchell. "A lot of our lives are threatened because they are dangerous men," he said.

The three blacks on the jury helped Mitchell, said the Rev. Carlton A.G. Eversley, pastor of Dellabrook Presbyterian Church and a member of the Darryl Hunt Defense Committee.

Sparks

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vice on protecting her home. "That made me feel good," she said.

Mrs. Sparks said that she will not stop with the couple of streets that she has organized.

"My goal is to get the whole Easton area organized," she said. In fact, she has been so busy organizing other streets, Mrs. Sparks said, that she may be neglecting her own.

"We haven't had a meeting in a while," she said. "After I get everything organized, I might have a meeting for the whole shebang."

Several had doubts

The jury's first vote last Friday reportedly was 7 to 5 to convict Mitchell.

"There were more than just the black people that had their doubts about Mitchell's guilt in the case," Mendez said.

A jury vote taken later that day was 11 to 1 for conviction, with the black woman being the only dissenter.

"I just stood up for what I thought was right," the woman said. She would not discuss the details of the case.

"We tried several different approaches," said a juror who asked not to be named. "In the end, the person was not able to believe the persons testifying were telling the truth."

Alleged eyewitnesses who said they saw Mitchell assaulting Wilson and some of whom said they heard him planning to rob Wilson admitted they had been drinking at the time and gave conflicting testimony.

Mattie Mitchell, the defendant's mother, looked worried throughout the six-day trial. She declined to comment on the mistrial, but she did say Thursday that the testimony of Ford, the South Carolina inmate, probably helped her son's defense.

Ford, 33, said three teen-agers attacked and killed Wilson.

Following an interview with WGHP-TV in High Point, Ford was moved from maximum-security Goodman Correctional Institution in Columbia to a minimum-security unit in the same city.

His testimony probably had an effect on the verdict, Ford said in a phone interview Tuesday with reporter David Dent.

"He said he was able to influence the jury," Dent said. "He said he would come back and do the same thing at the next trial."

Cases may be related

Many in the black community believe the Mitchell and Hunt cases are related.

Hunt, Mitchell's best friend, is serving a life sentence in prison after being convicted of the rape and murder of Deborah B. Sykes. Mrs. Sykes, a copy editor for *The Sentinel*, was found dead near the Crystal Towers high-rise on Aug. 10, 1984.

Mitchell, who was an early suspect in the case, testified for Hunt in June 1985. The controversy surrounding the case led to Tisdale's defeat in the Democratic primary in May when the majority of black voters cast their ballots for challenger W. Warren Sparrow.

Some blacks contend that Hunt and Mitchell are innocent and that Tisdale is using the Wilson case for revenge against Mitchell and Hunt before he leaves office.

"The Darryl Hunt case embarrassed Tisdale and the Police Department," Mendez said, referring to a city manager's report in November 1985 that criticized Tisdale's and the Police Department's handling of the Sykes investigation.

"There are some questions

whether Tisdale is in charge of the Police Department," said Northeast Ward Alderman Vivian H. Burke, who requested the city manager's probe of the Sykes investigation. But she said she will not ask for a similar investigation of the police's handling of the Mitchell case "until I get the details of the trial."

Unresolved questions

East Ward Alderman Virginia K. Newell said the mistrial confirmed that there are several unresolved questions surrounding the case.

"People are supposed to be proven guilty beyond a shadow of doubt," Mrs. Newell said. "There are too many questions in this case."

North Ward Alderman Patrick T. Hairston criticized Tisdale for waiting three years before prosecuting the case.

Witnesses threatened

In a related incident, Kathy Mitchell, the defendant's sister, was charged with communicating threats against Barbara Jean Bason, one of the prosecution's witnesses.

"If they convict my brother, you will be the first one I will kill," Miss Mitchell told Miss Bason, according to the warrant.

Larry Little reportedly posted a \$300 property bond on her behalf.

Tisdale said the prosecution's witnesses were threatened throughout the trial.

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