

MORNING BLOG BY MIKE KILLBREATH

***Liar! Liar!
Pants on Fire!***
*Let's all yell it at Flint
cops lying under oath
in Eric Mays circus!!*

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It's not often a news guy gets a huge hug from someone he's covering.

Especially from an alleged bad guy on trial in front of prosecutors who want him behind bars.

"I'm so close to it that I missed it," said Eric Mays with a bear hug around me on the sidewalk outside the court house, reflecting on his jubilation after hearing my radio show earlier this week when it was revealed how police officers had a big hole in their story while testifying against him.

Their story was under oath.

Testimony in front of a jury.

My last blog described it as something I've now learned that cops call "testi-lying." The fact that their "testi-lying" was witnessed as part of my coverage for The Morning Gazette Radio Show may be a bad thing for the careers of these cops. The "radio show guy ego" in me allows a chance to revel in all the fun of how my blockbuster story rocked the walls of justice at our local court house where telling lies comes with a penalty.

It's called perjury.

It's a felony crime that can get you 10 years of picking up soap in Jackson.

More than 30 years in the news business has given me many occasions to speak with family members of poor people who claim police officers lied under oath to win a conviction against their loved one. Forgive me for not always listening a few seconds after comparisons to how the cops lied on O.J. Simpson, too, except that he had the "Dream Team" of lawyers to get him off.

Mays had the local version of a "Legal Dream Team" when promi-

nent Flint attorney Frank Manley took the case for free. Manley quit, then he later wanted the Manley firm to be reinstated on the job and Mays essentially told him to take a hike.

It was one of the highlights to three full days of action in front of Judge Nathaniel Perry.

The drama peaked yesterday when Judge Perry stopped the trial after Mays produced a witness who eventually invoked his fifth amendment right not to incriminate himself after asked if he was driving the car that wound up next to the councilman facing the wrong way on I-475.

At the top of the highlight list in this case, however, was a parade of police officers taking the witness stand last week to perpetrate one whopper of a lie. It sickens me to think police officers right here in our hometown would stoop to tricks you see on TV shows, or on the big screen at the movie theater.

But I'm sad to report that I saw it for myself last week while enjoying a front row seat to an attempted miscarriage of justice against Mays — a Flint city councilman facing five misdemeanor charges that carry jail time of between 90 days and 93 days on each count.

That's more than a year he's facing at Sheriff Bob's Hotel.

The hospitality won't be so good over there, according to Sheriff Pickell. He assured listeners in a WFNT interview with Dan Foley that the city councilman will trade in his fancy suit for an orange jumpsuit and eat the same food as everyone else at the jail. It was in reference to his call immediately after my interview of Mays last week when Sheriff Pickell rejected my offer to take

Mays a Snickers bar if he got locked up. It was my way of suggesting Mays show up with an attorney when he appeared on my show before the trial started last Thursday.

Maybe he said too much on the air. I showed up at court and immediately got a request from the special prosecutor for a CD copy of my Mays interview.

This special prosecutor is an impressive law man. Michael Gildner's court room skills must scare Mays a bit.

It's my guess that if Mays keeps trying to defend himself when the case resumes on June 12th, just maybe all his *political enemies* will win a conviction and send Mays to the Genesee County Jail.

And yes, you read that last line correctly. I'm now officially buying into the idea that dirty politics is at play here.

Maybe slapping handcuffs on a few cops is exactly the kind of thing that can unravel lots more corruption around Flint City Hall.

If these cops were convinced to lie on the witness stand because they feared for their jobs, perhaps we can arrange immunity for them in exchange for some testimony against whoever pressured them to commit perjury.

The fact of the matter is that nobody saw Councilman Mays driving on that now famous day in Flint history during the wee hours of the early morning on November 30th. The news media circus began back then almost immediately when reporting how Mays was arrested for alleged drunken driving, possession of marijuana, failure to provide proof of insurance and refusing to submit to fingerprints.

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MAYS

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It was also widely reported how he was trying to change a flat tire on his vehicle facing the wrong way with four flat tires on I-475. Let me take a bow to reflect for the record that only The Morning Gazette Radio Show reported that Mays said he was “inspecting” flat tires when a Genesee Township police officer stopped to help him out. That’s how the police report read, too.

Some media types never let a few facts get in the way of a good story.

“Like I am some kind of knucklehead who would be changing one flat tire when two others were also flat,” May told me. “That’s right on three flat tires, too. Four flat tires sounds better than three doesn’t it? My political enemies, including some in the media, made it sound better that way to make me look stupid.”

Mays isn’t stupid.

He holds a bachelor’s degree from a little place in East Lansing that’s called Michigan State University. It’s where my Wednesday morning panelist on The Morning Gazette Radio Show, J.D. Winegarden, teaches law classes.

Some suggest Mays should have become a student before representing himself, but he keeps repeating to the jury how the truth shall prevail.

He keeps repeating lots of things to the jury that lawyers probably wouldn’t get away with. Mays simply withdraws questions or asks to strike comments, apologizing to the judge and asking the jurors to kindly ignore what he said.

As if they can forget some of his best stuff and not consider it when deliberating his fate.

The fact of the matter is that nobody has testified they saw Mays driving drunk. Then up pops a witness who is asked if he was the driver, and the judge ushers all the jurors out of the court room. They have until June 12th to wonder what happened and why they can’t hear this star witness.

I’m sure none of them will watch the TV reports, listen to the radio chatter about Eric Mays or read any of the articles in the media. That’s how the judge instructed them to go about their normal lives until June 12th.

Jurors didn’t get to hear about the political conspiracy Mays alleged has been at play here. Judge Perry ruled that kind of defense is off limits.

Jurors must wonder why Judge Perry reacts with such anger so often when Mays ventures into so-called forbidden territory while questioning police officers trying to send him away for a year without a Snickers bar.

They must wonder, too, about all that identical testimony from police officers who painted a story of how Mays allegedly told them at the scene how he was out drinking Grey Goose with Don Williamson to celebrate a recount victory. Now eight days later, a sergeant in charge of the case takes the stand and stops short of repeating the earlier version of the same tale his officers spun for the record. He testified to Mays that he didn’t hear anything about Don Williamson or a recount victory, but assured jurors that Mays told him he had been drinking and had “messed up.”

Mays let jurors know these officers obviously lied by revealing to them in his questioning of the sergeant that the recount hadn’t even taken place yet, asking him: “So how could I have told them I was celebrating a recount?”

A bombshell blow for Mays that was delivered, of course, courtesy of The Morning Gazette Radio Show.

Our listeners were also the first to hear that perhaps a mystery driver would appear when Mays began his defense portion of the trial.

Mays made mention of it in our interview last Thursday, which obviously got the special prosecutor’s attention.

The judge also mumbled about press conferences and said he was tempted to impose a gag order — obviously making reference to Mays since the special prosecutor hasn’t made any comments to the media.

Maybe Gildner needs to hold a press conference. He should explain to the taxpayers why so much money is being wasted on a case that involves the City of Flint getting a jurisdiction claim only after adding a charge of failing to report a property damage accident. And that came 17 days later, and after my rant on The Morning

Gazette Radio Show about how stupid it was to waste tax dollars on a case that would be easily dismissed by a first-year lawyer fresh out of JD Winegarden’s classes at MSU — and most assuredly to be ripped apart by the likes of a prominent, high profile lawyer such as Frank Manley.

Maybe Gildner’s press conference should also explain why we’re coming back on June 12th when it’s obvious his police officers lied under oath about a recount victory celebration that Mays couldn’t have told them about, since it obviously had not yet happened.

Maybe Gildner’s press conference should explain why finding out somebody else committed the crime leads to all charges being dismissed every time we see something like this on TV or in the movies — yet star witness Johnny Billings invokes his fifth amendment right to avoid incriminating himself on the question from Mays on whether or not he was driving the vehicle, and the trial goes on without the jury so much as hearing a word about it from Billings on where he was that night, etc.

Or maybe I should hold a press conference and announce we’re making all this into a movie.

Heaven knows there will be plenty of press around on June 12th.

Reports were on MLive Media Group and The Flint Journal’s print edition has covered the case extensively. TV 12, TV 5 and TV 25 have all had cameras rolling inside the courtroom. WFNT has posted news items on its web site, and its sister station Banana 101 has some fun with it. WFLT had one of its talk show guys there also, and even the Detroit News has been there for every minute so far.