

It was a hard trial for all

Jury unimpressed by strength of testimony against officers

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Several jurors in the Miami police corruption trial offered federal prosecutors some advice Thursday if they retry four veteran officers for covering up police shootings: Present less confusing physical evidence and more credible witnesses.

The jurors talked primarily about flaws in the case that would

be at the center of a likely retrial — the November 1995 fatal shootings of two robbers as they leaped from Interstate 395.

Jurors said conflicting testimony — especially from the government's two star witnesses — and disputed physical evidence raised doubts.

Eleven officers were charged with planting guns or lying to investigators to cover up four

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questionable shootings.

On Wednesday, three defendants received mistrials after the jury failed to reach unanimous verdicts. A fourth officer was acquitted on two counts, but faces retrial on two others jurors deadlocked on.

Four officers were convicted and three were acquitted.

While the three-month trial spotlighted the four shootings between 1995 and 1997, the likely retrial would focus mainly on the I-395 case, in which Lt. Israel González, Sgt. José Quintero and Officer Jorge García were implicated.

Three jurors reached by The Herald said they had plenty of doubts while dissecting the evidence.

Five officers had fired shots as two tourist robbers jumped off the I-395 ramp to North Miami Avenue. The officers said the pair had guns.

Antonio Young died where he fell. Wiltshire ran into an alley off Northwest 13th Street where officer Willie Bell caught up to him. Bell, who was not charged, testified Wiltshire tossed something while they struggled.

The jury wanted to go the scene during deliberations, but U.S. District Judge Alan Gold denied the request.

The jurors said Thursday that they were unable to reconcile conflicting physical evidence about whether a gun was thrown by Wiltshire or planted by Quintero.



TIM CHAPMAN/HERALD STAFF

GUILTY: Ex-Miami police Officer Jesus Aguero, center, with his wife, Carmen, right, and another relative, leave court Wednesday.

MORE ONLINE

For previous coverage of the trial and to read a special investigation into Miami police shootings, go to www.herald.com/news and click on Miami-Dade.

"We wanted to see that alley for ourselves," another juror said.

Prosecutors said Bell tackled Wiltshire at the front of the alley, at least 60 feet from where Quintero found a Browning 9mm pistol under a trash bin.

But Quintero's attorney, Sam Rabin, argued that Bell and Wiltshire struggled much deeper into the alley, about 10

feet from the bin.

Besides the alley confusion, jurors said they weren't convinced by the government's star witnesses, ex-officers John Mervolion and William Hames. The two were originally indicted too, but chose to plead guilty and testify in hopes of lighter sentences.

The jurors said they didn't believe Hames and Mervolion, including their accounts of a meeting by the five shooters to "get on the same page."

"They had real credibility problems for a lot of us," a third juror said. "We just couldn't convict based on Hames and Mervolion."

Jurors said the vote was 10-1 to acquit González and Quintero.

A fourth juror interviewed by The Herald was the holdout.

"I had a gut feeling," she

said. "I didn't have a reasonable doubt in my mind. We read over the stuff and compared statements and some things didn't fit. ... I found flaws in the testimony. That sent up red flags."

The holdout believed Mervolion and Hames. "I didn't think they had a reason to lie."

In the end, the jurors agreed to disagree. The majority argued their points several times, but could not convince her.

"We totally respected the difference of opinion," another juror said. "She looked at everything. She worked as hard as anyone. She had her beliefs and stuck to them."

In addition, jurors deadlocked 7-4 in favor of convicting García over statements he gave about the I-395 incident.

Prosecutors are expected to retry the four defendants who got mistrials, but will make an official declaration within 10 days. In addition to the I-395 case, a retrial would feature evidence about a June 1997 shooting in Coconut Grove involving Sgt. José Acuña.

A mistrial was declared for Acuña for his alleged role in the planting of a gun to justify the shooting of an unarmed homeless man.

The jury convicted four codefendants in the Grove case, but could not reach consensus on Acuña. He was accused of driving to the scene with officer Jesus "Jessie" Aguero, who was convicted of aiding and abetting the planting of the gun.