

# Michigan boy tried as adult enters assault plea

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Nathaniel Abraham, the Michigan boy who was tried as an adult in 1999 for first-degree murder, had his most recent day in court April 18. Nathaniel, whom Oakland County authorities chose to prosecute for a crime allegedly committed when he was eleven years old, pleaded guilty to charges of assault and battery after admitting he participated in a skirmish on a basketball court. The hearing was held before Oakland County Probate Judge Eugene Moore, who also presided over Nathaniel's first-degree murder trial.

The assault and battery charges, filed soon after prosecutors failed to secure Abraham's conviction as an adult in January, represented a continuation of the vendetta against this child. His case had attracted the support of Amnesty International and other human rights groups because of its precedent-setting character. Young Nathaniel has become a symbol of the increasingly hysterical and punitive attack on the young and impoverished sections of society.

Under the plea agreement, Moore will take Abraham's statement under advisement with a judgment delayed pending a review in six months. Abraham's attorney, Daniel Bagdade, proposed the arrangement jointly with the Oakland County Assistant Prosecutor, John Skrzynski, with the understanding that the assault conviction would be dropped from Nathaniel's record provided he stays out of trouble.

Two other boys involved in the skirmish—Thomas Lundy and Quante London, both 16—also entered guilty pleas and agreed to have their cases reviewed by Moore in six months.

The scuffle took place at Children's Village, a Pontiac, Michigan detention facility, one day before Nathaniel was sentenced for the 1997 shooting death of Ronnie Greene Jr.

At Tuesday's hearing Moore asked both Nathaniel

and his counselor, Joe Montcrief, how Nathaniel was doing. Nathaniel, who has visibly matured since his trial, answered that he thought he was doing well. Montcrief said he also thought Nate was doing well, especially considering the group he was a part of at the center.

Nathaniel is housed in the maximum-security center of the Maxey complex. Montcrief said Abraham participates in the group therapy sessions, is capable of discussing the behavior of his peers and is honest when confronted with problems in his own behavior.

When asked about the environment Nathaniel was in at the center, Montcrief said most of the youth are older than Nate, averaging 17 years of age, with a couple of the boys as old as 19. Three inmates had been elevated to the highest security at the center because of "assaultive behavior," but Nathaniel was not around that group.

"He has had no significant incidents," stated Montcrief, "nor has he shown any signs of aggressive behavior." He said Abraham had been elevated to level 1, on a 4-level scale, progressing better than many kids who entered the facility around the time Abraham arrived.

Moore set a new hearing date for June 6 to review Nathaniel's status as a part of the regular six-month review he established at Nathaniel's sentencing hearing in January.

Nathaniel's attorney Daniel Bagdade was pleased with the hearing, stating that Nathaniel was proving a lot of people wrong. "He is doing a lot better than a lot of people thought," said Bagdade. "The judge is obviously concerned about him with the older children."

From a legal standpoint, the assault charges against Nathaniel are in line with the campaign the Oakland

County Prosecutor's Office has conducted to portray the boy as incorrigible and a violent criminal. The charges were pursued even though there were no injuries involved in the scuffle. Several counselors at the center commented privately that fights at Children's Village are not unusual and suggested that the only reason prosecutors pursued this case was because of the notoriety of Nathaniel's trial.

On November 16, 1999, Nathaniel was convicted of second-degree murder for the shooting death of Ronnie Greene Jr. The jury ignored evidence clearly indicating the shooting was accidental. Nathaniel admitted to shooting the gun, but was aiming at trees, and the shot most likely ricocheted off one of them. Evidence at trial also revealed that another individual had been firing a weapon similar to Nathaniel's, a .22 caliber rifle, at a gang members' party nearby.

On January 13, 2000 Judge Moore sentenced Nathaniel as a juvenile, rejecting the proposal of the prosecutor's office to hand him a “blended sentence”—whereby he would be sentenced as an adult but sent to a juvenile center, with the provision that any violation would result in the imposition of an adult life sentence. Instead Abraham was sentenced to a juvenile detention facility until he turns 21, or is released earlier for good behavior. The judge, moreover, made an unusual statement, attacking the law used to prosecute Nathaniel as “fundamentally flawed,” and defending the establishment of the juvenile court system—clearly intended as a slap against the prosecutor's office.



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