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NEWS

Suspended Akron principal found not guilty of assault for altercation with student



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An Akron jury believed an Akron high school principal's claim that he was defending himself in 2019 when he struck a student in the face.

The jury found Vyrone Finney, a suspended principal at East High School, not guilty of assault Wednesday. The jury returned the verdict after deliberating for about an hour following a one-day trial.

"It's been 21 months since this happened, and he's been through hell," Mike Callahan, Finney's attorney, said after the verdict. "We're gratified the jury found him not guilty, and we think they did the right thing."

Finney testified that he thought the 15-year-old student was coming at him when the teen stood up in front of him. Finney said he wasn't sure if the student might have a weapon.

"I felt threatened," Finney said. "I didn't know what his next move was going to be."

Finney was charged with assault, a first-degree misdemeanor, in the September 2019 incident at East. His trial in the Akron court, which was delayed several times because of the pandemic, lasted until about 5 p.m. Wednesday. The jury announced it had a verdict about 6 p.m.

Finney, 49, of Akron, has been on unpaid leave from the Akron school district pending a hearing after his criminal case concludes. The outcome of his criminal case could have impacted his ability to work in Akron or another district.

More: Principal will fight to keep his job amid assault charge

Finney had three previous complaints filed against him, one for alleged neglect and two for alleged abuse, that children services investigated and determined to be "unsubstantiated." In at least one of the cases, however, Finney acknowledged throwing a middle school student to the ground, telling the district the student had come at him first.

More: East High principal accused of slapping student had prior abuse allegations

Patricia Cosgrove, a visiting judge who served on Summit County Common Pleas before her retirement, handled Finney's trial for Akron Judge Jon Oldham. His trial was done in the court, though spectators were required to watch via Zoom because of space constraints in the courtroom.

Ashley Lanz, an assistant city prosecutor, said Finney overreacted in this situation, striking the student and then shoving him against the wall.

"Nobody is saying he's a bad guy," Lanz said during her closing argument. "There are lines we draw in the sand for an important reason. One is how far you go in disciplining kids. Striking a student, shoving a student is not reasonable."

Callahan, though, said Finney had previous problems with this student, who was just returning from being suspended. He said there was no evidence the student was physically harmed and Finney was following the training he'd been given by the district.

"He was right in his position to defend himself," Callahan said. "It was self-defense."

Police officer Drew Campbell testified that he and Marcus Muster, another officer who was working at East on the day of the incident, were asked to provide Finney with help removing a student from the school. The officers followed Finney and the student to the lobby of the office.

Campbell said Finney and the student argued back and forth about the student's suspension and paperwork. He said the student stood up and Finney struck him in the face. Campbell said he and Muster separated Finney and the student and then escorted the teen from the building.

Lanz asked Campbell if he was surprised Finney slapped the student.

"Very," Campbell said. "It's not something we were expecting. It's not something you see every day."

After the incident, Campbell said Finney told him and Muster that he didn't feel like being called an expletive that day like the student did before he struck him.

Lanz showed a surveillance video that shows the altercation between Finney and the student. In the video, the student isn't always visible because of how the camera was positioned.

Sgt. Douglas Sandor, who supervises the school resource officers, said he filed the assault charge against Finney after consulting with Craig Morgan, the police legal adviser for the city prosecutor's office. He said both the student's mother, who initially said she didn't want Finney charged, and his father wanted Finney to be charged.

Sandor said the teen's mother changed her mind about Finney being charged because she said the principal lied to her.

Finney, who has worked for the Akron district since 1997, testified that he reacted during this situation according to the training he had received from the district on how to de-escalate a situation involving a confrontation with a student.

Lanz, though, asked Finney why he didn't seek help from the two Akron officers who were in the school office to assist him with removing the student from the school.

"He came at me," Finney responded. "I just reacted."

Lanz also asked Finney if the student ever threatened him.

Finney said the student didn't, though he did call him names.

Lanz asked whether Finney followed school policies with how he responded. She pointed to one that prohibits employees from striking a student or shoving them against the wall.

"You violated Akron Public School policy," Lanz said.

"I restrained," Finney responded.

Terri Porter, a special education coordinator for the district who has trained staff on de-escalating confrontations with students, testified about how employees are taught to do blocks that could look like they are slapping a student.

"If you struck a student in the face, that would not be a block?" Lanz asked Porter.

"That would not be a block," Porter agreed.