

2 men charged with impersonating cops in racial assault are cleared

By ART CHARLTON

Two Warren County men charged with impersonating police officers in a racially motivated assault against a motorist last summer have been cleared of the allegations.

Warren County Prosecutor Richard Hare said yesterday he administratively dismissed charges against Kevin McGuire, 26, and Robert Smith, 24, last month.

"We did an extensive investigation," Hare said. "The investigation revealed the charges were not substantiated."

Hare said the pair was arrested after being picked out of a photo lineup by Timothy Beasley, a Washington Borough resident who reported he was hospitalized with a concussion and bruised ribs after he was attacked July 27, 1991, by two white men on Route 31 in Mansfield.

Beasley, who is black, said he was beaten with a 3-foot-long metal pipe by assailants who claimed to be police officers and made racial threats against him. After their arrests, the pair was charged with aggravated assault, impersonating police officers and other charges.

Attorneys for McGuire and Smith said yesterday their clients did not assault Beasley and are not racists. Both men had witnesses providing alibis for the time the assault was said to have occurred. "Clearly, the veracity of Mr. McGuire impressed the prosecutor's office," said his attorney, Ernest Duh.

"The problem now is restoring his good name," Duh said of McGuire when discussing the dismissal of the charges. "He's been upset, humiliated, to be castigated as a racist, which he is not."

"I doubt very much there's anything we can do as lawyers to remove that stigma," said Leonard Artigliere, Smith's attorney. Beasley could not be reached for comment. McGuire and Smith, who are construction workers, lived in Oxford at the time of their arrests last August. Ku Klux Klan members demonstrated in Oxford about the same time as the arrests, which Artigliere said left an incorrect impression that Smith and McGuire belonged to a racist hate group.