

Detroit, Michigan

Monday, November 2, 1970

(Whereupon David McNealy and Willie
Cooksman were administered the oath
of secrecy.)

(Whereupon Sergeant Fred Davis,
Detective Sergeant Henry LaHousse
and Michael Connor, Assistant
Prosecuting Attorney, were admini-
stered the oath of secrecy.)

(Whereupon Patrolman Frank Randazzo
entered the Grand Jury room.)

F R A N K R A N D A Z Z O

was thereupon called as a witness herein, and after having
been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. CONNOR:

Would you state your name again, please?

A Patrolman Frank Randazzo.

A JUROR: I didn't hear that.

MR. CONNOR: Officer Frank Randazzo was
the answer.

But keep your voice up loud.

Q (By Mr. Connor, continuing): You are a police officer with

1 the City of Detroit?

2 A Yes, sir.

3 Q And were you duty on October 24, 1970, at approximately
4 5:45 P.M.?

5 A Yes, sir.

6 Q What kind of duty were you assigned to on that date?

7 A Scout car duty.

8 Q Who was your patrolman?

9 A Patrolman Murray.

10 Q Were you in uniform on that day?

11 A Yes, sir.

12 Q And were you in a marked police car?

13 A Yes, sir.

14 Q Did you have occasion to be in the vicinity of Myrtle and
15 14th Street?

16 A Yes, sir, I did.

17 Q Keep your voice up loud. I'm having trouble hearing you.

18 A Yes, sir, I did.

19 Q What happened while you were there?

20 A Well, we were on routine patrol, and that's my scout car
21 area, the vicinity of Myrtle and 14th. And I was driving
and we were going west on Myrtle.

Before we got to 14th I observed a crowd
on the corner, of Negro males and a couple females, and
they were passing out literature. I didn't know what it

1 was. It looked like small newspapers.

2 And as the people walked by, I saw
3 them get in front of one person. A lady tried to walk
4 around them, an elderly woman, and they were intimidating
5 her and telling her she had to buy a newspaper. So I
6 crossed 14th, on Myrtle, and parked the scout car on
7 Myrtle and got out to investigate and see what was going
8 on.

9 Q What happened then?

10 A Well, at this time I told them that they were impeding the
11 sidewalk traffic, and the people couldn't get around them
12 and they had too many people on that corner. And I told
13 them they'd have to disburse and let the people go by.

14 So, I'd say maybe five or six, I don't
15 really know, they seemed to agree with me and they started
16 walking away. So I was going to get back in the scout
17 car. But maybe nine of them, nine or ten, a group around
the corner, they didn't say anything. And I told them, I
18 said, "Did you hear what I told you?"

19 And one fellow said, "Well, I'm not
20 going anywhere."

21 Q All right. What happened then?

22 A Well, I told them, I said, "I'm not going to tell you again,"
23 I said, "these people can't get by and there's too many of
24 you over here."

1 He called me some nasty name, and
2 I asked him if I could see some identification, something
3 with his name on it. He told me he wasn't giving me anything
4 and he wasn't going anywhere.

5 So at this point my partner was next
6 to me, he got out of the car also.

7 I told him, I says--well, he was carrying
8 a prep radio--and I says, "If we have any trouble, do you
9 know where we're at?" Because he was fairly new and I wanted
10 to be sure he knew where we were at.

11 And I approached this one fellow and
12 I told him, I says, "I don't want a hard time from you."
13 I says, "Now, you do what I tell you to do."

14 And he was saying a few things back and
15 forth, so I told him, I says, "Well, I'm going to have to
16 bring you in then."

17 So I opened up the scout car door and
18 I says, "Have a seat in the back."

19 He says, "I'm not going anywhere," and
20 this and that. He told me the same thing all over again.
21 And I approached him.

22 At this time he grabbed me by the jacket.
23 I had my jacket on. And he took a swing at me and he hit
24 me up in here.

25 So at this time my partner calls for

1 help. He and this guy were tussling around. And another
2 one went to grab me from the back.

3 And another scout car was there at the
4 time, was coming up, because he must have been pretty
5 close when the call came out.

6 And we got him in the scout car, and
7 handcuffed him, and brought them in, the two that were
8 attacking me. And the rest of them were still on the
9 corner. But I left with the two that I arrested.

10 Q Do you have the names of those two?

11 A I don't think I have it with me.

12 Q Well, it doesn't matter.

13 They were taken to the station, at any
14 rate?

15 A Yes, sir.

16 Q Do you have a warrant presently pending against them?

17 A Yes, sir.

18 Q You do have warrants pending against the two people on the
19 corner?

20 A The two people I arrested, yes, sir.

21 Q Could you identify anyone else on that corner do you think?

22 A No, I don't believe I could.

23 Q All right. Did you have occasion to return to that
24 immediate vicinity?

25 A Yes, sir, I did.

1 Q About what time did you return to the area?

2 A Maybe seven minutes later.

3 Q That would be somewhere around 5:50, then, is that correct,
4 or do you know?

5 A I really--I don't know for sure. I know it was just five
6 or seven minutes after I left, that I was back.

7 Q Was your partner still accompanying you at that time?

8 A Yes, sir, he was.

9 Q Were there any other police vehicles in the vicinity when
10 you returned?

11 A Yes, sir.

12 Q How many, if you know.

13 A Oh, maybe six, seven. I don't know for sure. I'd say
14 about six or seven.

15 Q There was a number of officers then in that area at that
16 time?

17 A Yes, sir.

18 Q Where did you park in particular?

19 A When I came back?

20 Q Yes.

21 A I didn't park.

22 Q Where did you go?

23 A Well, I went back to 14th and Myrtle, and another scout
24 car came by and said that everybody was going to meet at
25 Myrtle and Wabash, all the scout cars; that's what the

1 sergeant told me to do.

2 Q All right. So you went over to Myrtle and Wabash?

3 A Yes, sir.

4 Q What did you do then?

5 A Well, we convoyed to 15th and Myrtle, went behind another,
6 you know, scout car.

7 Q What happened when you arrived at that location?

8 A Well, everybody exited the cars and we surrounded the
9 house, 337---

10 Q Where did you go?

11 A I went in the front.

12 Q Now, this is the front of 3376 Myrtle; is that correct? ✓

13 A Yes. But I was across the street.

14 Q What if anything did you see happen then?

15 A Well, the reason we went back there, when I was--came out,
16 that officer was shot in the hand. That's why I went back.

17 Q Well, did you see that?

18 A No, I did not.

19 Q All right. You went back to the area?

20 A Right.

21 Q You are across the street, now, from 3376. I only want to
22 know what you saw or what you did.

23 A Yes, sir.

24 Q Not what you heard, not what someone told you; only what
25 you saw, what you did.

1 A Yes, sir.

2 Q You are across the street. What did you see, if anything,
3 at that time?

4 A Well, when we got out of the cars the sergeant said,
5 "Surround the house and just wait." So I went to the
6 front with another fellow. Not my partner, the fellow
7 I was in the scout car with, Murray. I don't know where
8 he went. But I went to the front with another fellow.
9 And across the street we, you know, knelt down behind
10 the car and just waited.

11 Q What happened then?

12 A Well, from what I know, they just said surround the house
13 and wait for orders. So we were around the house, and I
14 was behind the car just waiting, looking at this house.
15 And I don't know how long I was sitting there when I
16 saw that--couple minutes, I really don't know--I saw a
17 long barrel come out of the window on the north (side) of
18 the house.

19 Q That was on the first floor or the upper floor?

20 A On the first floor.

21 Q This is a two-story dwelling, am I correct?

22 A Yes, sir.

23 Q All right. And it would be--

24 A On the north side.

25 Q --a window to the right of the door; is that correct?

1 A It would to the right, on the north side.

2 Q Facing out from the house. All right.

3 Q And what happened then?

4 A Well, it came out for a split second. It came out, went

5 off, and somebody, I don't know who, pulled it back in.

6 Q Was it light or dark at this time?

7 A Dusk, not really dark. It wasn't, you know--just starting

8 to get dark, I'd say.

9 Q Was there any flash from the barrel?

10 A Yes, I did see it flash.

11 Q You did see it flash?

12 A Right.

13 Q You heard the report?

14 A Pardon me?

15 Q You heard the report, obviously, of the gun itself.

16 A I heard the report.

17 Q Did you hear the shot?

18 A Oh, yes.

19 Q Could you tell what if anything the person that fired that

20 gun was shooting at or who?

21 A Do I know?

22 Q Yes. Could you see--did you see who the person was shooting

23 at?

24 A Well, I saw a person fall, after, when the gun went off.

25 Q Did you approach that person?

1 A No, I did not.

2 Q Has that person since been identified to you?

3 A Yes, sir.

4 Q Who was that person?

5 A It was Glenn Smith.

6 Q Where was Glenn Smith located at that time, in relation to
7 the house at 3376 Myrtle?

8 A Well, 3376 is the third house. There's an empty lot, two
9 houses, and then 3376. And he was behind the car but in
10 front of the second house--in front of the second house off
11 the corner.

12 Q All right. Why don't you step down here for a minute.

13 (Whereupon the witness approached
14 the blackboard.)

15 Q This is 3376?

16 A Yes.

17 Q This is the vacant lot?

18 A Yes, sir.

19 Q Why don't you draw for me where the car was and where
20 Officer Smith went down if you can.

21 A Well, I'm going back by memory--

22 Q Right.

23 A --you know.

It was about here.

25 And this was the front of the car; this

1 is the back.

2 Q Where was Officer Smith when you saw him go down?

3 A Toward the back of the car, right here.

4 Q All right, fine.

5 A The door would be in the middle.

6 Q All right. Why don't you draw it; I shouldn't put that in
7 there.

8 A Well, this would be the door, the front door, you know, in
9 the middle of the house. And it was from over here. There's
10 a window.

11 MR. CONNOR: Off the record.

12 (A brief discussion was held off
13 the record.)

14 MR. CONNOR: Mark this Exhibit 1.

15 (Whereupon Grand Jury Exhibit No. 1,
16 a photograph, was marked for
17 identification.)

18 Q (By Mr. Connor, continuing): I'm going to show you what has
19 been marked People's Exhibit 1, proposed Exhibit 1. I want
20 you to look at that and tell me if you can identify it and
21 recognize it.

22 Can you identify that picture?

23 A Yes, sir.

24 Q And what is that that I have just shown you?

25 A That's 3376, the house in question, the Black Panther--

1 Q All right. Does that photograph that I have shown you--
2 from that photograph can you see the window that you saw
3 the rifle barrel in?

4 A Yes, sir.

5 Q All right.

6 Well, I'll hold it up on the board,
7 and why don't you point to whatever window that was?

8 A Okay. This is like the bay window, and from the best of
9 my ability--I might not be perfect--but I'd say that it
10 was right from here.

11 Q All right, fine. Now, this would be looking out from the
12 home. This would be the second window to the right?

13 A Yes, sir.

14 Q And it's the window that's on the immediate front of a
15 curved three-window area.

16 MR. CONNOR: I'll pass that around.

17 (Whereupon Mr. Connor approached
18 the blackboard.)

19 Q (By Mr. Connor, continuing): I've drawn a blow-up of 3376
20 and placed the rifle in the center window.

Is that about what you saw?

21 A Yes, sir.

22 Q All right. You can sit down.

23 (Whereupon the witness resumed the
24 stand.)

1 Q Now, you indicated that you were on routine patrol in the
2 area.

3 A Yes, sir.

4 Q You saw some activity. There was a confrontation between
5 you and several individuals that you arrested.

6 A Yes, sir.

7 Q And that you returned to the scene about seven minutes
8 later.

9 A About. I don't--I know it was pretty fast, within five,
10 seven minutes, I don't know.

11 Q Why did you go back?

12 A Well, as we got into the station, me and my partner was
13 just bringing our prisoners in to tell the lieutenant what
14 had happened, and I heard--because, on the desk they have
15 a big radio and you hear the runs come out from the people
16 on the desk--and I heard, "Officer shot in the area of
17 16th and Myrtle," or something like that, "Officer shot in
18 the area of 16th and Myrtle."

19 So I told the lieutenant, I said, "Well,
20 why don't we just put these two in the bullpen for right
21 now, and let me go back there." Because I figured they
22 needed all the help they could get.

23 Q All right. Did you see the officer that had been shot
24 removed from the scene?

25 A Pardon me?

1 Q Did you see the officer that was shot taken from the scene,
2 yourself?

3 A Not clear, because I was--when they picked him up I was
4 toward the other end, the middle of the block. I did
5 see a car come up there but who it was or how they got him,
6 I don't know.

7 Q Would you step down and place on this map where you were
8 and the car you were crouched behind.

9 (Whereupon the witness approached
10 the blackboard.)

11 A Well, there were cars parked on this side of the street.
12 This is the sidewalk, right? This is
13 the street?

14 Q Yes.

15 A Okay. I don't know exactly how they were spaced. Maybe
16 like this. I don't know for sure how many there were. But
17 I was right about in here.

18 Q You would be across from the vacant house then?

19 A Pardon me?

20 Q In between 3386 and the vacant lot; is that correct? It
21 would be the second lot off the corner, thereabouts?

22 A Right.

23 Q Now, you indicated that you had asked your partner, who
24 had the prep radio, if he was aware of where you were; is
25 that correct, earlier?

1 A Yes. That's just a habit I have.

2 Q Did either your partner or yourself ever make any calls
3 into the station at that time?

4 A I don't know what you mean?

5 Q Did you ever call the---make any calls on your police radio
6 whatsoever?

7 A As to what?

8 Q AS to what was taking place. Any calls at all at that time?

9 A Before that, I did make---well, I called. But it doesn't
10 go to the station; it goes to the dispatcher on the mobile.
11 Because we had instructions, if there
12 is a--

13 Q Well, not what your instructions were.

14 A Okay.

15 Q But did you make a call pertaining to the arrest, yes or no.

16 A Yes, I did.

17 Q Who did you call?

18 A The dispatcher.

19 Q All right. You can sit back down now.

20 (Whereupon the witness resumed the
21 witness stand.)

22 Q Did you stay there the entire night?

23 A Pardon me?

24 Q Did you stay there that entire night and early the next
25 morning?

1 A No, I did not. I went down to homicide later on that
2 evening, from the scene.

3 Q About what time did you leave?

4 A Around eight o'clock, I believe, 8:00, 8:30, something
5 like that.

6 Q Was it dark before you left?

7 A Yes, sir.

8 Q Had they set up any lights?

9 A I don't know. They might of. But I wasn't there.

10 Q Not while you were there at any rate?

11 A No.

12 Q Okay.

13 A That I know of.

14 MR. CONNOR: That's all I have. No
15 further questions.

16 Does anyone else have anything they'd
17 like to ask of the witness?

18 Q (By Mr. Connor, continuing): When you first saw the
19 shot fired, what did you do if anything?

20 A Well, from the time the shot fired and the officer fell,
21 it was maybe a split second, from the bang and the fall.
22 Well, I ducked. I figured there was going to be another
23 one coming out.

24 Q What did you do after that?

25 A I went further down the street, because a patrolman said

1 he had a couple people trapped in the house with carbines.

2 Q Now, that was you, farther south down the street?

3 A I went down there to see if I could assist him.

4 Q When you arrived there, what, if anything, did you see or
5 do? When you went south down the street and you arrived
6 where the patrolman had referred to, what if anything did
7 you see or do?

8 A Well, there was a car parked in front of that house, and
9 I got--I was in front of the car--it would be in the street--
10 leaning against it. And I saw, I saw a policeman--I knew
11 him from my precinct--between the houses, from this one
12 house and the other house.

13 And I asked him, you know, what the
14 problem was. He told me he saw three--

15 Q Not the conversation. But you did have a conversation
16 with a patrolman. What did you do then?

17 A I looked to see if I could see him in the house.

18 Q Did you see anybody?

19 A I did see somebody up on the second floor there.

20 Q What happened after that?

21 A Well, we called on the prep for some more assistance or
22 some gas or something, but nothing ever came, and I wasn't
23 going to go in there. It's an old burned-out house,
24 three--I believe it's three stories. I'm almost positive
25 it is. And I wasn't going to go up there by myself and

1 look around.

2 And at that time you couldn't talk over
3 the prep, because I guess they were getting everything
4 straightened out, what they were going to do. And they
5 got away as far as I know.

6 Q Was there ever any shooting from the house, the burned-out
7 house that you saw?

8 A Yes.

9 Q And when was that?

10 A At--when I was over there. They didn't shoot out, to my
11 knowledge, I mean. But there was shooting there. I didn't--
12 when we--when I went there this patrolman said they just
13 ran in the house with carbines. They ran to the back of
14 the house.

15 And there's--you can't get in through
16 the back of the house because there's no door or anything.

17 And there were some shots fired and--

18 Q From the house or at the house?

19 A At the house.

20 Q Who fired those shots?

21 A Well, the patrolman fired it at the three that were running
22 between the house, toward the back.

23 Q There were three people running between the houses and
24 there was a patrolman that fired at them?

25 A From what he told me, yes.

1 Q You did hear shots there?

2 A Yes, sir.

3 Q All right.

4 A And so I was there and I'm looking at the vacant house.
5 I saw a guy up on the second floor. There's no windows
6 in this house. And he had, I don't know, a rifle, carbine,
7 I--it's hard for me to tell. And I took a shot at him but
8 I--apparently I missed, because there was nobody in there
9 later when they searched the house.

10 Q Was Officer Smith armed, if you know?

11 A Yes, sir. I believe he was, yes, sir.

12 Q Well, when you say you believe he was; did you see him
13 armed or not?

14 A Yes, yes.

15 Q All right, then you did see him armed?

16 A Yes.

17 Q Had you been aware of what he was doing immediately prior
18 to the time he was shot? Only if you were.

19 A No, sir, I don't know. As far as--he was kneeling there.
20 I mean I saw that. But as to what he was doing before;
21 I was across the street, I don't know.

22 Q Well, I don't want to know what he did before you were
23 there, just what you saw.

24 You did see him kneeling there?

25 A Yes, squatting.

1 Q What kind of weapon did he have?
2 A It was a long--rifle, shotgun, I don't know.
3 Q Was that pointed in any particular direction?
4 A Over the car.
5 Q Where was this directed to?
6 A Toward that abandoned house.
7 Q And that would be the vacant house?
8 A Yes, sir. I believe it was pointed in that direction.
9 It was kind of hard for me to tell exactly where it was
10 pointed, I--
11 Q All right.
12 A I don't even want to say, because I don't know for sure.
13 Q At any rate, as near as you could see, he was looking
14 away from 3376?
15 A Yes.
16 Q Why didn't you shoot into 3376 Myrtle after the shot? I
17 mean 16th Street.
18 A After I saw the policeman fall?
19 Q After you saw the shot from 3376 16th and you saw the
20 policeman fall, why didn't you shoot?
21 A Well, there's two reasons. The first one is; that we
22 were told not to. And the second one is; that there were
23 other people I could see in that general area and I didn't
24 want to take a chance on hitting one of them, to hit the
25 house. Because I was all the way across the street.

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Q You indicated that you met at a particular area and then a number of police cars all went to the near vicinity of Myrtle and 16th.

A Yes, sir.

Q And you parked, and then you went and got behind this car across the street.

A Yes, sir.

Q What was your assignment?

A Surround the house.

Q And what were you told to do?

A That was it.

MR. CONNOR: Okay, that's all.

One thing now, you have been sworn to secrecy, you understand that?

THE WITNESS: Yes, sir.

MR. CONNOR: And that means you don't tell anything about anything; is that right?

THE WITNESS: Yes, sir.

MR. CONNOR: That happened in here, what you testified to, questions you were asked, or anything at all.

THE WITNESS: Yes, sir.

MR. CONNOR: All right.

(Whereupon the witness left the Grand Jury Room.)