

January 10, 1973

Commissioner John F. Nichols

SUGGESTED NOTES FOR MAYOR GRIBBS ON COMMON COUNCIL APPEARANCE
SCHEDULED FOR JANUARY 11, 1973

At 12:50 a.m., on December 4, 1972, Patrolmen Eugene Fular, Robert Rosenau, Billy Price and Richard Grapp, assigned to the Police Department's STRESS Unit, attempted to investigate a Volkswagon which had left a known dope house at 17528 Stoepel. The car was finally stopped at Six Mile, west of Livernois. As Patrolman Price got out of the police vehicle he was met by gunfire from the occupants of the Volkswagon. The occupants then pumped a large number of shots into the police car seriously wounding all aforementioned officers. The unknown assailants then made good their escape.

In the hours and days following this incident, a significant number of investigations, both on the street and in the homes, were undertaken by police officers. The police department, in an effort to coordinate these investigations, appointed a Case Coordinator working through the Homicide Section who would be in complete charge of all incidents and police activities relating to this case. Special telephones were installed and the numbers published throughout the department. A departmental order was further issued, directing that all information be channeled to this Case Coordinator and that contemplated investigations be first cleared through this unit; the purpose being to bring efficiency and control of a very viable situation.

On December 14, 1972, Attorney Ernest Goodman filed a lawsuit seeking damages and a restraining order against the department on behalf of family and friends of John Percy Boyd, Hayward Brown and Mark Bethune, who were alleging harassment in the department's search for these three felons. The plaintiffs were, Dorothy, sister of Boyd; John Clore; his brother, Lindsay Ward; babysitter for Boyd-Clore family, Odessa Brown; mother of Hayward; and Sandra Overstreet, girlfriend of Melba Boyd. The bill of particulars alleges multiple contacts between unknown Detroit Police officers and the plaintiffs. These contacts were in large part objectionable because they were repetitious and conducted while the officers were armed. Further objected to was the fact that no search warrant was produced. Parenthetically, an arrest warrant charging these three with Assault with Intent to Kill against the STRESS officers and First Degree Murder of William Moore in Highland Park, on November 28, 1972, had been issued.

Additionally, Dorothy Clore alleges that her door was broken down by police officers who then searched the entire house. She further objects because the officers were visibly armed with long guns.

Mr. Goodman prays that the department be restrained from further harassment by police.

On December 15, 1972, Mr. Thomas Gallagher, representing the city, and District Inspector James Bannon, representing Commissioner Nichols, appeared before Judge Foley. District Inspector Bannon testified regarding the administrative procedures established to safeguard against the complained of activities and assured the Judge that the department had no intention of acting illegally. However, the police department was going to continue in a lawful manner in an effort to apprehend the perpetrators of these vicious crimes. It was further testified that this directive had been effective since no complaints had been lodged subsequent to December 11, 1972, after the coordination began by Homicide

Judge Foley ruled that he would accept the Commissioner's assurance that all future investigations would be in accordance with statutory provisions of reasonable and probable cause based on the existing arrest warrants. He adjourned the matter until December 20, 1972, for a show-cause hearing. This hearing was not held based on the attorney for plaintiff acknowledging that no further activities affecting his client's activities.

On December 27, 1972, at 6:12 p.m., Patrolman Robert Bradford was shot and killed, and Patrolman Robert Dooley critically wounded when they stopped three black males on foot at 9250 Schaefer. These men had left 9250 Corbin, which was being watched on anonymous information, that Boyd, Bethune and Brown might show up there. The three men made good their escape but were positively identified as the above three wanted men. Additional warrants charging Murder in the First Degree and Assault with Intent to Kill were obtained.

Immediately upon this shooting, the department had rebroadcast the original directive naming the Homicide Section as primary investigative unit and coordinator of all of the department's efforts to apprehend these men.

All tips and leads are channeled through this center. Any plans to investigate specific premises are made by a command officer of Homicide, in conjunction with Inspectors of the Field Duty Officer Section. In all cases, a command officer directs the actual entry of the premises. In almost all cases, peaceable entry has been obtained even though extraordinary efforts are expended to do so. For instance, it has been necessary to phone the home in question and explain the mission to the occupant who has then granted permission to enter

and seek the fugitives, or answer questions about them.

All tips and leads are evaluated by command officers after preliminary investigation as to their probable validity. Only after such evaluation are task force personnel sent to the house in question. Officers on these investigations are armed with sidearms and long guns and wear protective armor when possible. They are trained in the safe use of these weapons and constitute no threat to innocent persons who do not attempt to feloniously assault them.

Of the hundreds of tips received, probably fewer than 10% to 15% have been given enough credibility to be acted upon. Some few others seemed valid enough to undertake surveillance of the individuals.

One individual, Ivan Williams, has been charged with Assault with Intent to Kill, based on his having harbored the three fugitives after the December 4th shooting. Several others, some of whom have complained of harassment and illegal entry, face the possibility of future such charges. This decision is governed by their willingness to testify or our ability to gain further substantive proofs of their knowledgeable assistance in the harboring and assisting of the fugitives.

In addition to establishing the above coordinating center, high ranking administrators have spent countless hours in the field assisting, aiding, counseling police officers to properly and professionally locate and apprehend these accused felons. These include, but are not limited to, Commissioner Nichols, Superintendent Bertoni, Chief Morris, Director of Traffic Bowyer, District Inspector Gordon Smith, District Inspector Bannon, Director Bullock, District Inspector Jason, and so on. District Inspectors Smith and Bannon have spoken nightly to STRESS officers at roll call and on the street. We feel that this command presence will serve to continue the professional conduct of our officers.

A further matter which has been raised and capitalized on by those with a vested interest in maintaining the specter of racial divisiveness within the department has not been specifically mentioned here because it is still under investigation by the Internal Affairs Section. That is the apparently unorthodox handling of the arrest of Ivan Williams previously mentioned.

One thing is abundantly clear, however, and that is despite some external efforts to make it appear otherwise, the shooting, murder and

search are not racial matters. Black and white officers are equally bereived by their brother officer's death and upset over the callous shooting of the other four officers. They are all equally concerned that the demonstrated ability and willingness to gun down police and citizen alike constitute a threat to all members of this community. Every effort legally appropriate will be extended in this effort.

It should be clear to any reasonable person that no command officer would expect, nor any intelligent police officer accept, the premise that this search be conducted without appropriate weapons readily available, particularly when carried by trained police officers. It is equally difficult to comprehend any citizen's unwillingness to cooperate to the extent of allowing a search of his home for these persons when the police have announced their identity and defined their limited purpose. We have attempted to publically correct the false impression created by the media that no police may enter a home unless they have a search warrant by citing the rights and duties of police when armed with arrest warrants and reasonable and probable cause to believe that one or more of these felons is concealed in a certain location.

The claim by one of the relatives of the fugitives that they are not what the police portray them to be, but instead are latter day "Robin Hoods" who have decided to unilaterally rid the black community of dope dealers and have been harassed by STRESS officers in so doing, hardly bears comment. However, several points come readily to mind.

1. How did the fugitives know these were STRESS officers?
2. From whence do they obtain the authority to engage in this rather unorthodox methodological approach to the extermination of dope pushers?
3. If successful, from whom will they obtain their own supply which they are alleged to be addicted to?

The claim that these men are fully matriculating college students can be rebutted when the occasion is appropriate.

In sum, our concern is to apprehend these men without further violence to police, citizen or fugitive, but in the long run this decision will be made for us by the fugitives demeanor at the point in time we make contact with them. The many warrants issued against these three order these men brought before a magistrate to answer the allegations against them. That is our purpose and intent.