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DENISE J. LEWIS
Secretary-Director

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Assistant Director

April 22, 1971

MEMORANDUM TO: Mayor's Office

FROM: Commission on Community Relations Staff

SUBJECT: Police Brutality Complaint of David Tate - 14918 Steel

Witnesses to the arrest of David Tate near 7 Mile Road and Meyers Road on April 15, 1971, who were interviewed by CCR staff, are unanimous in their agreement that Mr. Tate was repeatedly struck with fists and weapons by a number of Detroit Police Officers who were making no apparent good-faith effort limited to subduing him or taking him into custody. Mr. Tate was stopped by Officers Glenn Wright and James Martin for speeding and was held for two outstanding traffic warrants. Although Mr. Tate had bond receipts for both warrants, the officers insisted on taking him into custody.

Mr. Tate states that he turned away from the officers to enter a nearby cleaners and was grabbed and spun around by the smaller officer (probably Wright), who asked for the other officer's flashlight. Witnesses corroborate Mr. Tate's statement that both officers held him by the arms while the smaller one hit him several times with the flashlight. A number of scout cars and one motorcycle officer converged on the scene, apparently in response to an "officer in trouble" call. A number of bystanders also gathered and witnessed the entire incident, except the initial encounter. (A total of nine persons, in addition to Mr. Tate, were interviewed by CCR staff.)

The witnesses all agree that Mr. Tate was held by the officers and was struck repeatedly. The motorcycle officer (probably Frederick Protas), without asking any questions, reportedly walked up and began striking Mr. Tate on the face and head with his fists. Mr. Tate states that he was struck with the butt of a long gun by an unidentified officer. Witnesses verify that one officer carried a long gun and on one occasion pointed it directly in Mr. Tate's face.

Witnesses say Mr. Tate was pushed toward the arresting officer's car, a distance of 30-40 feet, and in the process was constantly pummeled by the officers, who also seemed to be clumsily interfering with each other's attempt to handcuff him. Witnesses were in strong agreement that none of the officers were making an honest effort to get Mr. Tate into the car. (There were between 12 and 20 officers by this time.) They seemed intent on inflicting punishment on him. All witnesses also agree that Mr. Tate at no time took any offensive action against any of the officers. His efforts were confined to attempts to protect himself from the blows.

The Police Department reports that Officer Wright was struck once in the chest in the initial scuffle, and one witness reported seeing one of the original officers get up from the ground.

Mr. Tate was arrested for "resisting and obstructing a police officer" and was taken to Detroit General Hospital and subsequently to Wayne County Jail. He was released the same afternoon on a habeas corpus writ by Judge Robert Colombo, who felt that there was no reason for the arrest in the first place. The following day he was arraigned by visiting Judge James N. McNally, III, and released on \$500 bond.

CGR staff has been attempting to make arrangements with the Police Department to interview the officers who were involved. Clearance has been obtained from police officials through the Citizen Complaint Section, but we have been informed that lawyers representing the officers and the Detroit Police Officers Association will in all probability advise the men not to make any statements. Attempts to secure the interviews are continuing.