

# RIOTS, CIVIL AND CRIMINAL DISORDERS

---

THURSDAY, MARCH 21, 1968

U.S. SENATE,  
PERMANENT SUBCOMMITTEE ON INVESTIGATION  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, D.C.*

The subcommittee met at 10:55 a.m., in room 3302, New Senate Office Building, pursuant to Senate Resolution 216, agreed to March 15, 1968, Senator John L. McClellan (chairman of the subcommittee) presiding.

Members of the subcommittee present: Senator John L. McClellan, Democrat, of Arkansas; Senator Karl E. Mundt, Republican, of South Dakota; Senator CARL T. CURTIS, Republican, of Nebraska; Senator Jacob K. Javits, Republican, of New York.

Also present: Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; Alphonse F. Calabrese, investigator; Jack Balaban, investigator; Robert Beatson, investigator; Frank Wilson, investigator; Laverne Anderson, investigator, on loan from the Treasury Department; and Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at time of convening: Senators McClellan, Curtis, and Javits.)

The CHAIRMAN. The Chair regrets that we are a little late, but the subcommittee has been active and working since 9:30. We cannot always dispatch our work as well as we would like to. We regret having inconvenienced the witnesses and others.

The next witness will be Sergeant Howison and Patrolman Charles Henry.

Will you be sworn?

You and each of you do solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Sergeant Howison. I do.

Mr. HENRY. I do.

## TESTIMONY OF SGT. ARTHUR HOWISON AND PATROLMAN CHARLES HENRY

The CHAIRMAN. Will each of you identify yourself, beginning on my left?

Will you identify yourself, please?

Sergeant Howison. I am Sgt. Arthur Howison. I am employed by the Detroit Police Department. I have been so employed for the past 18 years.

Mr. HENRY. I am Patrolman Charles Henry, employed by the Detroit Police Department. I have been so employed 2 years.

The CHAIRMAN. You have been with the police department how long?

Mr. HENRY. Two years.

The CHAIRMAN. Do either of you have a prepared statement?

Sergeant HOWISON. No, sir.

Mr. HENRY. No, sir.

The CHAIRMAN. You may proceed to interrogate Sergeant Howison first.

Mr. O'DONNELL. Sergeant, are you in charge of a cleanup crew in precinct No. 10?

Sergeant HOWISON. I was at the time of the rioting.

Mr. O'DONNELL. Will you explain what a cleanup crew is?

Sergeant HOWISON. A cleanup crew is a precinct crew. It is in charge of the vice detail. It is plain clothes. We check on liquor, prostitution, gambling, and that sort.

The CHAIRMAN. You say it is a plain clothes operation?

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. Procedurally, how do you approach any given situation? Where do you get the complaints? How do you go out? Where do you go? Who makes the complaints?

Sergeant HOWISON. The majority of complaints received by us are contained in the complaint book. As the complaints are received in the department, they are placed in a complaint book, a regular book that is kept at the station. As we check them out or as we work on them, we put entries behind them. That is where the majority of our information comes from.

The CHAIRMAN. Is that voluntary information that people or other policemen call in?

Sergeant HOWISON. This is both.

Mr. O'DONNELL. Do you review the complaints in the police book and then make a determination as to what your particular duties will be that night with regard to the complaints that have been made?

Sergeant HOWISON. Yes. Prior to coming on duty each night, we definitely check this book.

Mr. O'DONNELL. This is a decision made by you?

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. Is that made by you as sergeant of a group?

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. You are the one who makes the decision?

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. On the night of the 22d, the night before the riot, was there a complaint on the books concerning the so-called "blind pig" at 9125 12th Street?

Sergeant HOWISON. Yes, sir. We had been at this establishment before, also.

Mr. O'DONNELL. How many times before?

Sergeant HOWISON. How many times, did you say?

Mr. O'DONNELL. Yes.

Sergeant HOWISON. Had we attempted or had we been in the place?

Mr. O'DONNELL. How many times had you been in the place prior to this?

Sergeant HOWISON. I had been in the place once prior to this, back in 1966 when we raided the place.

Mr. O'DONNELL. Was there anyone else from the police department that had been in the place?

Sergeant HOWISON. Yes. The vice squad also visited this place just about a month prior to the last raid that we had.

Mr. O'DONNELL. Based upon the complaints you had received, on the 22d, did you plan, as part of your operations, to raid the "blind pig"?

Sergeant HOWISON. Yes, sir. We were going to make an attempt at it. We were going to try it. We didn't know whether we would succeed or not.

The CHAIRMAN. How do you raid? What is the process? Do you just go and barge in?

Sergeant HOWISON. No, sir.

The CHAIRMAN. Tell us.

Sergeant HOWISON. In order to build a good case, you have to have somebody get on the inside legally, which means they have to be allowed to enter, and they have to make a purchase or observe what is going on on the inside so they can testify to it.

The CHAIRMAN. You don't just barge in without definite information?

Sergeant HOWISON. No, sir.

Mr. O'DONNELL. What happened on the night of the 22d when you attempted—July 22d, the day before the riot—when you went out to the "blind pig" in an attempt to cover that situation or raid it, or put it under cover?

Sergeant HOWISON. I hope we haven't our dates confused, because the 23d is actually when we made it, but we started to work on the 22d.

Mr. O'DONNELL. I am talking about the 22d.

The CHAIRMAN. The 22d is a Saturday.

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. The raid was not actually made until the early morning hours of the 23d.

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. I want Friday night.

Sergeant HOWISON. That would be the 21st. That is why I was wondering whether we had the dates confused or not.

On the night of the 21st, which was our working night of the 21st, we had made up our minds we would try it. As we went by the place in a surveillance effort, the doorman, who knew us by sight, observed us as we drove by, so I passed on, because I figured he knew we were in the area so there was no sense attempting it that night.

Mr. O'DONNELL. You didn't raid it that night?

Sergeant HOWISON. No, sir. We went on and succeeded in doing another one about 2 miles away from the scene.

Mr. O'DONNELL. You concentrated on another so-called "blind pig" in another area?

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. Did you return in the early morning of the 23d?

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. Will you explain what happened there?

Sergeant HOWISON. I can explain from the raid on. Patrolman

Henry is the one who can actually tell you about it, because he is the one who succeeded in getting in.

The CHAIRMAN. Was he under your direction?

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. All right. Tell what instructions you gave, and what you know happened, and he will tell how he proceeded.

Sergeant HOWISON. There were the usual instructions. He attempts to get in. This is mostly by his own doing. He attempts by whatever talking he can do to gain entry to the place, to be allowed to go in and mingle with the crowd, which he succeeded in doing.

We have a time limit on this. If he gets in, we give him a time limit of from 5 to 10 minutes. If there is nothing going on, he makes sure that he returns. But if he stays in at the end of this period, then we enter and we know we have a case, because he has been in and observed.

The CHAIRMAN. You proceed according to the time that he remains there?

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. If he remains there up to a given time, then you conclude that he must have the evidence which you desire, and that will justify you in making the arrests.

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. What was the purpose of the attempted raid this night on the "blind pig?"

Sergeant HOWISON. It was to stop what was going on there, which was an illegal sale of liquor, and we presumed gambling, which we had found on the previous raid. But we knew that there was the illegal sale of liquor in an after-hours, unlicensed establishment.

The CHAIRMAN. Do you mean that establishment is not licensed at all?

Sergeant HOWISON. No, sir; not by the State of Michigan Liquor Commission. It has a charter license from the State of Michigan, which is strictly a charter club, what they had there at one time.

The CHAIRMAN. But they have no license to be open at that hour or to sell liquor there?

Sergeant HOWISON. No, sir.

The CHAIRMAN. Or to gamble?

Sergeant HOWISON. No, sir.

Mr. O'DONNELL. Can you identify who was in your crew when you actually made the raid on the early morning of July 23d?

Sergeant HOWISON. Yes, sir. I had Patrolman Charles Henry, Patrolman Joseph Brown, and Patrolman Anthony Fiormonti.

Mr. O'DONNELL. So there were four in your party?

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. Let me address myself to Patrolman Henry.

Did you gain entrance into the "blind pig" on your first attempt?

Mr. HENRY. No, sir; we didn't. We started work at 10, and about 10:30 I made an attempt to go into this establishment.

The CHAIRMAN. 10:30 at night?

Mr. HENRY. That is correct.

Mr. O'DONNELL. Why didn't you get in?

Mr. HENRY. I was in company with a companion officer, Joseph Brown. We went with a story that he was an out-of-town basketball

player who wanted to have some fun. The doorman said, "I don't know you, so you can't come in here. You aren't a member."

Mr. O'DONNELL. When was the next attempt made by you to gain entrance into the club?

Mr. HENRY. At about 3:35.

Mr. O'DONNELL. Did you gain entrance?

Mr. HENRY. I did.

Mr. O'DONNELL. Were you alone?

Mr. HENRY. Yes, sir.

Mr. O'DONNELL. How did you get in?

Mr. HENRY. I went to the door and as I approached the door there was a crowd of three or four women who went in.

The CHAIRMAN. Three or four what?

Mr. HENRY. Women. I got right in with the women and went right into the club.

Mr. O'DONNELL. After you were in the club, what was the pre-arrangement you had with Sergeant Howison as to how long you would be in there subject to their coming in? In other words, did you have a 10-minute time element or a 5-minute time element during which you had to make a purchase?

Mr. HENRY. There was 10 minutes that was given me.

Mr. O'DONNELL. Did you make a purchase of liquor or beer?

Mr. HENRY. Of beer.

Mr. O'DONNELL. You bought a beer?

Mr. HENRY. That is right.

Mr. O'DONNELL. Within the 10-minute time element?

Mr. HENRY. When I went to the club, I went directly to the bar and purchased a bottle of beer.

Mr. O'DONNELL. What did you observe within the establishment at that time; that is, insofar as people were concerned?

Mr. HENRY. The first thing I noticed was a lot more people than we anticipated.

Mr. O'DONNELL. Were you in on any prior raids on the "blind pig?"

Mr. HENRY. Of this particular "blind pig?" No.

Mr. O'DONNELL. How many did you anticipate that you might find when you went in there?

Mr. HENRY. At most I thought 30 to 40; at most.

Mr. O'DONNELL. How many were there?

Mr. HENRY. Eighty-five.

Mr. O'DONNELL. Were they all colored or were white persons in there also?

Mr. HENRY. They were all colored.

Mr. O'DONNELL. Subsequently, did Sergeant Howison and the other two men enter the establishment in order to make an arrest?

Mr. HENRY. That is correct.

Mr. O'DONNELL. How long did the arrest take for 85 people?

Mr. HENRY. As I remember, about 40 minutes.

The CHAIRMAN. Let me ask you one other thing before we get into that aspect of it.

While you were there, before the raid actually started, what did you observe with respect to others drinking, purchasing drinks?

Mr. HENRY. They had a man and two barmaids selling drinks and they were busy all the time.

The CHAIRMAN. So it was actually a full operation.

Mr. HENRY. That is right.

The CHAIRMAN. It wasn't just an incidental sale to you, but it was actually in progress with wide-open selling.

Mr. HENRY. That is correct.

Senator CURTIS. Was it limited to beer?

Mr. HENRY. No; there was beer and liquor.

Mr. O'DONNELL. Did you at any time that evening, 3:45 or whenever it took place, observe any individual who was trying to cause difficulty outside of the "blind pig?"

Mr. HENRY. As we were making the arrests, getting these 85 people from the establishment to the precinct station, we had to call what we call paddy wagons to transport them from this establishment to the station.

Outside, a number of people were gathering, and I did notice a colored male later identified as Michael Lewis who was agitating the crowd.

Mr. O'DONNELL. How was he agitating the crowd? In generalities?

Mr. HENRY. He was asking the crowd, "Are we going to let these white coppers take these people away? Why do they come down here and do this in our neighborhood?" things of this nature.

Mr. O'DONNELL. Let me explain, Senator, if I may. There is a case in Detroit pending against Michael Lewis. We don't want to go into details concerning it. The felony charge originally against him, as I understand it, was inciting a riot. Since it hasn't gone into trial, we don't want to put into evidence anything that might interfere with the prosecution of that case.

The CHAIRMAN. He was there and you saw him there at the time?

Mr. HENRY. I did.

The CHAIRMAN. And you regarded his conduct as that calculated to incite and stir up the crowd?

Mr. HENRY. Yes, sir.

The CHAIRMAN. That is what actually happened, or it resulted in that, didn't it?

Mr. HENRY. That is right.

The CHAIRMAN. I don't care about the court record. I don't want to do anything to interfere, either, but we certainly have a right to ask what happened there, so we can know what this is all about. That is what we are looking into it for.

We are not bringing him here to testify, but you were on duty, performing your duty, and you had occasion to observe what he did there at the time while you were trying to enforce the law; is that correct?

Mr. HENRY. That is correct.

Mr. O'DONNELL. Do you believe that this was a spontaneous incident or do you believe that it was the result of organization?

Mr. HENRY. It is my opinion it was spontaneous.

Mr. O'DONNELL. Do you feel that the arson and sniping which subsequently followed were perpetrated by some type of an organized group, or was this incidental or spontaneous?

Mr. HENRY. In my opinion, there was some organization to the arson and sniping.

The CHAIRMAN. Why do you say that? You have some reason for saying that. So that the record will be clear, give us the information you have or what you observed that caused you to come to that conclusion.

Mr. HENRY. From the small scale that I saw, there seemed to be some pattern to it.

The CHAIRMAN. From what?

Mr. HENRY. From the small scale that I saw—I was not all over the city, but from the small scale that I saw, there seemed to be some pattern to it.

Mr. O'DONNELL. Sergeant, let me address a question to you, if I may.

How many owners or operators of the "blind pig" were there?

Sergeant HOWISON. We had three of them charged with the operation of it.

Mr. O'DONNELL. Can you identify them?

Sergeant HOWISON. Yes, sir. There was Billy O'Neal. He was the one at the door, the first door. There were two doors that you had to go through. One was a street door. Then you went up a short flight of stairs to a landing. There was two landings in the place. Just prior to the second landing there was another door, a plywood door built on kind of a makeshift frame. There was a second doorman. That was a Douglas Hill. And then William Scott was the man behind the bar that Patrolman Henry referred to as the man behind the bar he saw selling drinks.

Mr. O'DONNELL. Let me put this question before I forget it.

Is the "blind pig" operational today?

Sergeant HOWISON. No, sir; it is not operational any more. A church has bought the building since then.

Mr. O'DONNELL. Are there charges against these three operators?

Sergeant HOWISON. They are still pending.

Mr. O'DONNELL. Against the three of them? Take them specifically, one by one. Billy O'Neal, for example.

Sergeant HOWISON. They are specifically charged with violation of the Michigan State liquor law. One man we have never been able to get in for his arraignment. That is Scott.

Mr. O'DONNELL. You arrested these three individuals?

Sergeant HOWISON. Correct.

Mr. O'DONNELL. They were arraigned?

Sergeant HOWISON. No, sir.

Mr. O'DONNELL. They were not?

Sergeant HOWISON. No, sir.

Mr. O'DONNELL. What happened after the arrest?

Sergeant HOWISON. After the arrest, during the process of the riot, they made bond. Bond was posted and they were released on bond.

The CHAIRMAN. Have they ever been arraigned?

Sergeant HOWISON. Two of them have, sir.

Mr. O'DONNELL. What happened to Scott after he was released on bond?

Sergeant HOWISON. We don't know. We haven't been able to find him.

Mr. O'DONNELL. You don't know where he is?

Sergeant HOWISON. No, sir.

The CHAIRMAN. Has the bond been forfeited?

Sergeant HOWISON. I presume it has been.

Mr. HENRY. It has been; yes.

Mr. O'DONNELL. What is the status of the cases against O'Neal and Hill?

Sergeant HOWISON. They are still pending with no date set.

The CHAIRMAN. This occurred what time last year?

Sergeant HOWISON. The arrest was made in July, on July 23, about 3:35 in the morning.

The CHAIRMAN. Some 7 months have elapsed.

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. Have they ever been set for trial, those cases?

Sergeant HOWISON. No, sir; there is no trial set at the present time, no trial date set. They have been arraigned and examined, but no trial date has been set at this present time. Two of them have. As I say, Scott we have been unable to locate.

The CHAIRMAN. Let me ask you another question.

Is that unusual? You have raided these "blind pigs" before and made arrests.

Sergeant HOWISON. Usually they don't drag out this long; no, sir.

The CHAIRMAN. That is what I wanted to ask you. Is this an exception, generally, or is it generally true it takes a year to get them tried?

Sergeant HOWISON. No, sir; this is an exception.

The CHAIRMAN. What is the usual time in which you get to trial?

Sergeant HOWISON. Usually we go to trial the next day. I would say the majority of the cases we get a plea, where they will make a plea of guilty, accept the fine and that is the end of it.

The CHAIRMAN. But where you don't get a plea of guilty, are they usually delayed this long?

Sergeant HOWISON. No, sir; 2 to 3 months.

The CHAIRMAN. This is unusual?

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. Do you have any explanation? Do you know why the unusual delay in these cases?

Sergeant HOWISON. No, sir; I can't tell you what the delay is in this case. I don't know.

Mr. O'DONNELL. Sergeant, at the time the arrest was made, you had approximately how many people who were subject to arrest?

Sergeant HOWISON. Do you mean that we took into the place?

Mr. O'DONNELL. Yes.

Sergeant HOWISON. It was 85.

The CHAIRMAN. What has happened to them with respect to any charges and any pleas?

Sergeant HOWISON. Their cases were all settled shortly after that, on those that were charged with loitering. It was settled in court and they went their way.

The CHAIRMAN. Have they all been disposed of except the owners?

Sergeant HOWISON. Those are the only two that I know of that are still pending.



The CHAIRMAN. There is one that has gone. There are three owners.

Sergeant HOWISON. There are three altogether. Two with no date and the third one we haven't been able to find.

The CHAIRMAN. He is out on bond, presumably.

Sergeant HOWISON. Presumably.

The CHAIRMAN. But the patrons' cases have been disposed of?

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. And no action has been taken to dispose of those who were operating the illegal establishment?

Sergeant HOWISON. Not as far as their trial is concerned; no.

The CHAIRMAN. Very well. It is hard to understand. Have the cases ever been set for trial?

Sergeant HOWISON. No, sir.

The CHAIRMAN. They have never even been set for trial. Sometimes a case may be set for trial and there will be a good, legitimate reason for continuing it.

Sergeant HOWISON. At one time the case had a trial date; yes, sir.

The CHAIRMAN. When was that?

Sergeant HOWISON. This I couldn't tell you. I don't have the records with me.

The CHAIRMAN. I would like you to get it and supply it for us at this point in the record.

Do you have it, Mr. Henry.

Mr. HENRY. They were arraigned on July 29, 1967. They were bound over for examination.

By the way, these people were taken for the State liquor law, which is a high misdemeanor. It is not just a misdemeanor. They were bound over for examination. They have had examinations and they are bound over for trial.

I did get a call from the recorder's court from a clerk down there and he did tell me that this case would be coming up on April 4.

The CHAIRMAN. It is now set for trial?

Mr. HENRY. That is correct.

The CHAIRMAN. They are set for trial on April 4.

Mr. HENRY. And they did have some difficulty with this particular case because the one defendant, Billy O'Neal, went out subsequent to being arrested by us, got out under bond, and went to another city near Detroit and got in trouble again.

The CHAIRMAN. He got in trouble again.

If they had had a speedy trial and put him in jail, maybe he wouldn't have gone to another city and been in trouble again. That is one of the problems about law enforcement in this country.

I guess there may be a good reason why these cases have not been tried. I am just trying to find out about law enforcement and what is causing these things. These people who are engaged in conduct that may precipitate a riot, lead to disturbances, I think should be dealt with as expeditiously as our due processes of justice will permit.

If they are able to get out the next day and return without any prospect of early punishment, I can understand why law enforcement may be breaking down. I am just trying to clear up what the problem is.

Mr. O'DONNELL. Sergeant, do you know what the pleas were of O'Neal and Hill at the arraignment, or the examination, as you call it out there?

Sergeant HOWISON. Not guilty on both of them, sir.

Mr. O'DONNELL. Let's get back to the "blind pig." How long did it take you physically to transport the 85 people?

Sergeant HOWISON. I would say approximately 40 or 45 minutes.

Mr. O'DONNELL. Roughly, how many vehicles did you have to utilize?

Sergeant HOWISON. I believe we had four, four paddy wagons.

Mr. O'DONNELL. Was there any difficulty encountered by you during this 40 or 45 minutes?

Sergeant HOWISON. Outside of verbally, no.

Mr. O'DONNELL. Did you see any stones or rocks or anything else thrown at any of your vehicles?

Sergeant HOWISON. As we were just preparing to leave, as we loaded the last wagon, there was. There was a bottle thrown which hit the building just above my head, just as we were coming out of the building. As we loaded the last of my crew and the evidence and the prisoners preparing to leave, either a bottle or a rock, I don't know which it was, went through the back window of one of the cruisers.

Mr. O'DONNELL. At the beginning of the raid, how many people were in the immediate area outside the "blind pig," approximately?

Sergeant HOWISON. Less than a dozen.

Mr. O'DONNELL. By the time you had completed the arrest of the 85, approximately how many were around there?

Sergeant HOWISON. I would say in excess of 200, over 200.

Mr. O'DONNELL. Sergeant, you have in front of you, I believe, an interoffice memorandum dated October 17, 1967, in the police department, which shows the attempts made by the 10th precinct cleanup crew at 9125 12th Street prior to July 22, 1967. These were attempts concerning the "blind pig." Do you have that in front of you?

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. May this be introduced into the record, Mr. Chairman?

The CHAIRMAN. Without objection, this will be printed in the record. (The memorandum referred to follows:)

DETROIT POLICE DEPARTMENT, INTEROFFICE MEMORANDUM, TENTH PRECINCT,  
OCTOBER 17, 1967

To: Lieutenant in charge.

Subject: Attempts made by 10th precinct clean-up crew at 9125 12th Street prior to July 22, 1967.

February 11, 1966: Raided by Sgt. Howison and crew, clean-up sheet enclosed.

October 21, 1966: Att. by Patr. Hooper, no response.

October 22, 1966: Att. by Patr. Lovelace, refused.

October 28, 1966: Sergt. Harris and Patr. Urquhart gained admittance, found childrens halloween party. Mrs. Marion Scott in charge.

November 5, 1966: Sergt. Guffery & Crew observed, no action.

November 11, 1966: Att. by Patr. Henry, no response.

November 12, 1966: Sergt. Guffery & Crew observed, no action.

December 2, 1966: Sergt. Gordon & Crew observed, no action.

June 3, 1967: Vice Squad raided, sheets enclosed.

July 23, 1967: Sergt. Howison & Crew raided, sheet enclosed. The president of this club is Mr. William Scott, his record is enclosed.

Sgt. ARTHUR E. HOWISON.

Mr. O'DONNELL. I have two documents, one a daily report dated February 11, 1966, entitled "Detroit Police Department Daily Report of Liquor, Vice, and Gambling Activities," and I also have in front of me a similar report dated July 22, 1967, precinct No. 10. They support the position that you maintain. Am I correct in that statement?

Sergeant HOWISON. Yes, sir.

Mr. O'DONNELL. May these two be introduced as an exhibit for reference, Mr. Chairman?

The CHAIRMAN. These are signed by you, are they, Sergeant?

Sergeant HOWISON. Yes, sir.

The CHAIRMAN. They may be received as exhibits 71 and 71A.

(Documents referred to were marked "Exhibits No. 71 and 71A" for reference and may be found in the files of the subcommittee.)

Mr. O'DONNELL. Did you see any other individuals outside the "blind pig" that evening attempting to stir up any difficulty?

Sergeant HOWISON. I was outside and inside both, getting things rolling. There were other people on the outside, but they were across the street from me in the crowd. Who they were, I don't know. But you could hear them.

The CHAIRMAN. What were they saying and doing?

Sergeant HOWISON. Almost the same thing that Patrolman Henry said in the first place. They were hollering about the white police coming down and harassing them, why didn't they go over to Grosse Point and raid the houses over there, instead of bothering people down here; things to this effect.

Mr. O'DONNELL. Did you see anything of this nature, Patrolman Henry, that he has been discussing?

Mr. HENRY. In addition to Michael Lewis, there were about seven other people doing things of the same nature.

Mr. O'DONNELL. Stating in essence what the sergeant just told us?

Mr. HENRY. That is correct.

Mr. O'DONNELL. Did you see any out-of-town cars in that area?

Mr. HENRY. Quite a few.

Mr. O'DONNELL. Did this appear to be unusual to you or not?

Mr. HENRY. This was very unusual for me.

Mr. O'DONNELL. Can you tell us what States were represented by the license numbers?

Mr. HENRY. Ohio.

Mr. O'DONNELL. All from Ohio?

Mr. HENRY. All from Ohio.

Mr. O'DONNELL. Senator, that is all I have.

The CHAIRMAN. What did that signify to you? What conclusion do you draw from the fact that there was an unusual number of out-of-State cars, from Ohio, there that night in that vicinity?

Mr. HENRY. I just found it very unusual.

The CHAIRMAN. Sir?

Mr. HENRY. I just found it very, very unusual.

The CHAIRMAN. Have you patrolled that area before?

Mr. HENRY. Very, very much.

The CHAIRMAN. Very, very much, and you had not observed this influx of out-of-State cars before that?

Mr. HENRY. Never before this.

The CHAIRMAN. Then do you know whether those that gathered there on the street and taunted you as you performed your duties, whether they were out-of-State people or if they were people from the community?

Mr. HENRY. I don't know.

The CHAIRMAN. You couldn't know about that?

Mr. HENRY. No.

The CHAIRMAN. How about the out-of-State cars? Did they remain there during the period of the rioting?

Mr. HENRY. After the first day, I saw them no more. After the first day of the riots I saw them no more.

The CHAIRMAN. You saw them no more?

Mr. HENRY. No, sir.

Senator MUNDT. You would know whether the people who taunted you were people you normally see on your patrol duty. A patrolman recognizes the people of the area. I will put it this way. Were any of the people taunting you people that you knew?

Mr. HENRY. This is a very, very large area. None of these people I knew.

Senator MUNDT. Nobody that you had known?

Mr. HENRY. No.

Senator MUNDT. When you say there was an influx of Ohio cars, I wonder if we can pinpoint that a little more clearly. Two Ohio cars, five or six Ohio cars, 10, a dozen, 2 dozen Ohio cars?

Mr. HENRY. I saw at least eight.

Senator MUNDT. At least eight Ohio cars?

Mr. HENRY. That is correct.

Senator MUNDT. That were in this area?

Mr. HENRY. Yes, sir.

The CHAIRMAN. You gentlemen are excused. Thank you very much. I want to congratulate you on doing a hard job in a tough town. I know it is not easy to be a patrolman. I salute anybody who sticks with the job.

Sergeant HOWISON. Thank you.

Mr. HENRY. Thank you.

The CHAIRMAN. Commissioner Ray Girardin and Superintendent Nichols.

Do each of you swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GIRARDIN. I do.

Mr. NICHOLS. I do.

### TESTIMONY OF COMMISSIONER RAY GIRARDIN AND SUPERINTENDENT JOHN NICHOLS

The CHAIRMAN. Will you identify yourself?

Mr. GIRARDIN. I am Commissioner Girardin, and on my right is Superintendent John Nichols of the Detroit Police Department.

Senator JAVITS. Mr. Chairman, may we know the division of responsibility, if one is a political appointee and the other is a professional assignment?

Mr. GIRARDIN. I am appointed by the mayor and responsible to the mayor at his pleasure. I have been police commissioner since 1963.