

# DETROIT POLICE DEPARTMENT

## INTER-OFFICE MEMORANDUM

Date November 30, 1972

To: Commissioner John F. Nichols (Through Channels)

Subject: COMMISSIONERS FILE NOS. C-3513 AND C-3539

Graham Harrison and Robert Spivey were observed by two police officers smashing a 10' x 6' plate glass window in the LaSalle Distributors at 20201 Livernois at 2:56 A.M. on November 18, 1972.

They then entered the premises of the LaSalle Distributors through this broken window.

The police officers also entered the LaSalle Distributors through this broken window.

The officers located Harrison and Spivey near the T.V. counter and ordered them to halt.

Spivey complied with the officers' order and Harrison dropped to the floor and made his way to the front windows and ran towards the broken window as one of the officers seized Spivey.

This officer fired one (1) shot at the fleeing Harrison and Harrison then ran through another 10' x 6' plate glass window and fled east across Livernois.

The officer, who had fired the first shot, then fired five (5) more shots at the fleeing Harrison.

The other officer exited the first broken window and pursued the fleeing Harrison calling upon him to halt. Harrison responded with obscene epithets and continued his flight across Livernois, through a parking lot and was escaping south in the alley.

The pursuing officer continued to call upon Harrison to halt and as it appeared to the officer that Harrison would make good his escape the officer fired one (1) shot.

Harrison fell in the alley lying face up. As the officer approached Harrison, he gasped obscenities at the officer and collapsed into unconsciousness.

Harrison was conveyed to the Detroit General Hospital where he was pronounced D.O.A. at 3:20 A.M. by Dr. Moossavi of the Detroit General Hospital staff, who indicated in his report that there were two (2) gunshot wounds to Harrison's back.



On November 18, 1972 Dr. Werner U. Spitz of the Wayne County Medical Examiner's Office prepared an autopsy report indicating a fresh sutured cut  $2\frac{1}{2}$ " long on Harrison's right elbow, a triangular shaped  $2\frac{1}{2}$ " deep cut measuring  $1\frac{1}{4}$ " by  $\frac{1}{2}$ " in largest dimensions located on the lower part of the back within the midline, a superficial  $\frac{1}{2}$ " long cut on the right wrist and a bullet wound on the left side of the back 18" below the top of the head and  $1\frac{1}{2}$ " to the left of the midline.

This bullet was recovered.

Dr. Spitz reported no close range firing and his detailed examination showed no additional evidence of injury.

Dr. Moossavi apparently classified the triangular "V" shaped wound as a bullet wound instead of an obvious cut.

Robert Spivey was physically seized and handcuffed by the first officer, who then threw Spivey to the floor as he fired at the fleeing Harrison.

This same officer shoved or pushed Spivey along the floor towards the front windows as Harrison crashed through the second window and this officer held Spivey down with his foot as he fired his weapon at the fleeing Harrison.

The officer who had hold of Spivey then took him out of the window Harrison had just crashed through and handcuffed Spivey to a light pole in front of 20201 Livernois as he went to assist his partner in pursuit of the fleeing Harrison.

The second officer was coming through the parking lot as the first officer approached the parking lot. He asked his partner, "You lost your man?" The partner replied no I shot him, I think I killed him and a request was made for an ambulance.

The officer who physically seized Robert Spivey, another scout car crew and two supervisors were with Spivey when he was unhandcuffed from the light pole and placed in the scout car.

A third supervisory officer arrived and asked Spivey his name and age, as he had first told the detaining officer that he was 17 and then 16. Spivey told the investigating supervisor that he was 16.

As Spivey's age was now a question, the scout car crew was directed to take Spivey to the Homicide Section.

These conveying officers brought Robert Spivey to the Homicide Section in Police Headquarters and at no time did they observe any head or other injuries to Robert Spivey.

While in the Homicide Section, these officers were directed to ascertain Spivey's correct age from the Youth Section.



These officers learned that Robert Spivey was 16 years of age and when this information was related to the Homicide personnel, the officers were directed to complete admission papers for the Wayne County Youth Home, notify Spivey's parents and convey him to the Wayne County Youth Home.

Spivey's mother was working at the Wayne County Youth Home where she was notified of Robert's detention.

One of the conveying officers did notice glass fragments in Robert Spivey's hair while at Police Headquarters.

Robert Spivey was conveyed to the Wayne County Youth Home, where the W.C.Y.H. records show that he was received at the W.C.Y.H. at 4:45 A.M. on November 18, 1972.

Robert Spivey was interviewed by the W.C.Y.H. intake worker and approved admission to the W.C.Y.H.

Robert Spivey was then turned over to two (2) male attendants and at 4:50 A.M. he was signed out to the W.C.Y.H. Medical Section where he was processed, i.e. showered and changed into W.C.Y.H. attire.

At 5:45 A.M. Robert Spivey was signed into the Medical Section where he was examined by the nurse on duty who detected a slight trickle of blood on his neck.

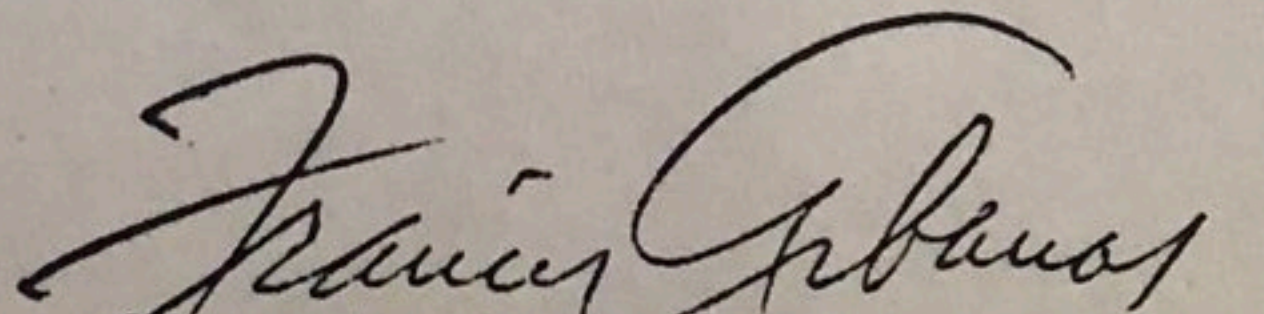
The nurse asked Robert Spivey if he was injured and she then examined the injury on the top of Robert Spivey's head and upon questioning he informed the nurse that he had been beaten by police officers and had a head injury, injuries to his left knee and abdomen.

The nurse placed a bandage on this laceration, which was about 2½" long and Robert Spivey was sent to the intake center and later conveyed to the Detroit General Hospital where he received medical attention for his scalp wound.

As of November 30, 1972 we have been refused an interview with Robert Spivey and the Detroit General Hospital has refused to furnish us the nature, extent and treatment of the injuries sustained by Robert Spivey on November 18, 1972 through police action.

The first indication from Robert Spivey that he had been injured by the police during or after his apprehension was after the W.C.Y.H. nurse asked him if he were injured after she detected a trickle of blood on his neck.

As of this point in our investigation, we have not uncovered any acts of impropriety on the part of the police officers during and after the apprehension of Robert Spivey and the fatal shooting of Graham Harrison on November 18, 1972.

  
Francis Arbanas  
Central District Inspector





December 1, 1973

December 8, 1972

Honorable Mel Ravitz  
President of the Common Council  
of the City of Detroit  
City County Building  
Two Woodward Avenue  
Detroit, Michigan 48226

Dear Councilman Ravitz:

Re: Graham Harrison (Our File No. 72-214)

I have been representing the interest of the family of the late Graham Harrison, a sixteen year old youth apparently shot by one or more Detroit police officer on or about November 18, 1972 in the City of Detroit. I am sure that you have received extensive communication concerning this matter from the office of Congressman John Conyers Jr. as well as other public officials. Since this tragic event occurred, I have had conferences with Congressman Conyer's office, the Detroit Police Department, the Council on Community Relations, and interested citizens.

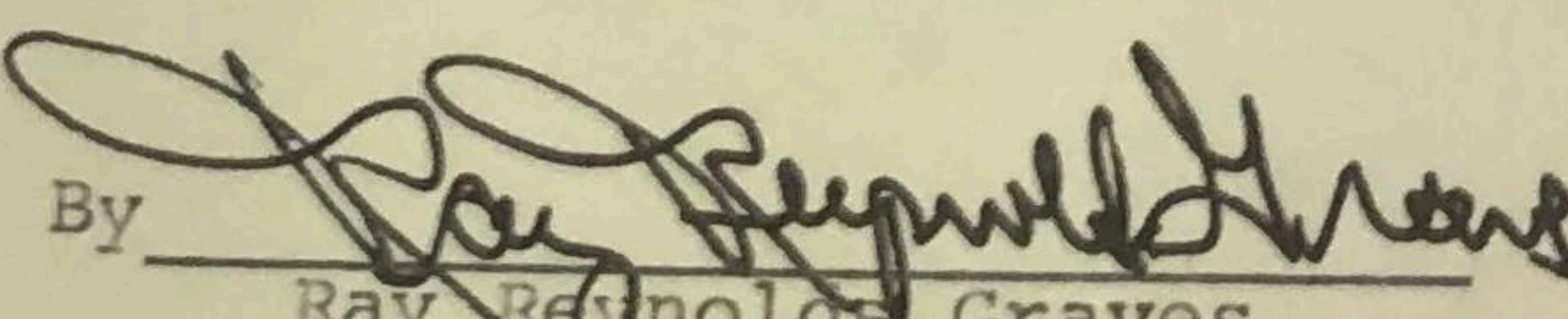
I have good reason to believe that the actions of the Detroit police officers involved in this case were excessive, unreasonable, unprofessional, and in violation of the standards of conduct that should be observed in providing fair, impartial, and humane law enforcement. The people of the City of Detroit have every right to expect police officers to act promptly and efficiently at the scene of a crime. It is difficult for me to believe that the facts as presented thus far justify the use of deadly force that resulted in the death of young Mr. Harrison.

If you have any questions concerning this matter or need the assistance of the Harrison family in completing your investigation, please do not hesitate to contact my office.

Very truly yours,

PATMON, YOUNG & KIRK  
PROFESSIONAL CORPORATION

By

  
Ray Reynolds Graves

RRG:jc

