

TO: B.F. HOLLAWAY, DIRECTOR OF NEFC/DOA
FROM: J.L. FRANCEK, DIRECTOR OF PLANNING & RESEARCH
DATE: DECEMBER 17, 1971
RE: STRESS INCIDENT - KILLING OF RICARDO BUCK & CRAIG MITCHELL

During this past month and a half, the investigation of the Stress incident of September 17th has been my primary concern. We have gathered all available information from the testimony of all the witnesses. It has been transcribed and copies of the tapes have been made. The information contained therein has been communicated to Councilman Ernest Brown, Mr. Kenneth Cockrell, and Mr. Vince Piersante of the Attorney Generals' office.

On Monday, November 29th, I met with Mr. Cockrell and Mr. Ted Spearman at their law office regarding this case. We reviewed the whole case. It was the opinion of both of these men that while there were definite discrepancies in the testimony of witnesses, police and coroners report. There seems at this time no way to take this to court. The fact that some witnesses did not at all times tell the truth, no matter what the reason, could be used quite effectively against us in a court room. They both felt that if the taking of testimony had been taken properly from the beginning things could have possibly gone a different way. The Prosecuters' report shows that they had talked with about all the witnesses and so the possibility of bringing forth new testimony seemed remote. Both Mr. Cockrell and Mr. Spearman have definite feelings of support for this case but they also felt that at this time there was not much solid legal ground to proceed on. Circumstantial facts such as calling an aluminum rod a steel rod are not the types of facts you build a murder case on. They wanted to have a complete file on the case for future reference and would be willing to sit down and explain their position to all the concerned persons if this was deemed necessary.

December 17, 1971

Over this past month and a half I have also met a number of times with Councilman Brown about this case. My first contact with him was on September 21st here at the NEFC. He came out to see the location of the shooting. At that time he showed deep concern about what had happened and promised to delve into the case. On October 28th Mr. Hollaway, Sr. Elizabeth and myself met with Mr. Brown. He had done some digging into the case and was quite upset with the reports from the coroner. There were a number of discrepancies especially in the report of Craig Mitchell's autopsy. From that point on Mr. Brown worked to uncover whatever facts he could. He had already obtained the autopsy reports. He learned that the clothing had been picked up by the Homicide Bureau on the 18th of September from Receiving Hospital. He also had the ballistics report that indicated that all six shots had been fired from Worobec's 38 Cobra Colt.

On November 30th I met with Mr. Brown and Mr. Michael Graham from the Free Press. Mr. Graham is a crime reporter recommended by the editor to Mr. Brown. We had a discussion of the case and its discrepancies. Mr. Graham promised both Sr. Elizabeth and myself that he would not print anything without showing us the manuscript first. Mr. Graham took the autopsy report to a private pathologist for his study. The pathologist concluded that the report was inconclusive. This pathologist is known for his integrity and willingness to come forward when the facts are clear.

On Wednesday, December 1st. Mr. Brown and Mr. Graham went to the Prosecutor's office to discuss the case and look at what evidence they had. The pictures of the body of Craig Mitchell show a bullet entrance on his left side lower back. The front view has his arms across his chest and so you cannot see clearly where the bullet came to rest. That same afternoon Mr. Brown received a visit from Dr. Corigan, the medical examiner. He came to tell Mr. Brown that he had been to the medical examiner's office and had gone over the whole case and had reviewed his report to clear up the discrepancies of his autopsy

of Craig Mitchell. He explained his mistake by saying he had turned the body and given measurements without noting that he had turned the body. The recording did not have it on tape and so the secretary simply typed what she heard. To date I have not received that revised report.

On Thursday Mr. Brown called to tell me what he found out. We set a meeting up for Monday, December 6th. At that time Mr. Brown and myself went over to the Homicide Bureau to review the case with Inspector John Domm and Sgt. Andrew Warren. At that time I viewed the pictures of Craig Mitchell and confirmed what Mr. Brown had seen. We also saw the clothing which indicated a shot in the lower left back. Ricardo Bucks' clothing showed the bullet wounds inflicted as the reported points of the autopsy. The clothing did not indicate any other wounds than reported.

It would seem from what cold facts that we can prove by means other than testimony that at this time we do not have much to go on. That does not mean that new evidence could not be introduced to bring new light on this case. It means that it comes down to our witnesses word against the word of the police officers. The facts about autopsy, clothing and ballistics support the official version of what happened.

Mr. Piersante from the Attorney Generals' office is continuing his review of the case. I expect to meet with him next week. I will report the results of what happened after it takes place.

CONCLUSION:

The experience of these past months has brought me to a number of conclusions about what happened on the night of September 17th and on the days that followed.

We know that because of our clinic there has been an increase of surveillance and harassment of our staff and clients by some police. We know that following the Stress incident there was a whole rash of incidents of alleged harassment.

At the time of the shooting the people in the commu-

nity responded with a restrained vigilance. They cooperated with official types in the giving of information. In the confusion of all of the activity and preparation for the funeral I think we made some mistakes.

- (1) We assumed that Mr. Bowman would take the leadership and conduct the needed taking of testimony.
- (2) By trying to protect the witnesses we lost time - the truth of a situation should surface immediately.
- (3) We did not have maximum news coverage from the black media.
- (4) By attempting to attack the whole concept of STRESS we lost needed support. When one attacks, it should be a precise attack at the weakest point. In this case I think it was the individual police officer. Even though Worobec would have carried most of the load, we would have also been able to bring out the related questions of police action in our community. In attacking the whole concept, we forced the police department to strengthen their line. In so doing they also took a very protective stance for Worobec.
- (5) Our main mistake was strategy. We need to have some person who is knowledgeable in the area of strategy or at least willing to develop that quality within himself. It would be best that we have a strategy worked out before hand. This person is a key person in such an operation. Who can we develop? Eg. If the contracts that are out on some of our staff are carried out in any form what is our plan of action? Who do we contact?

These are some of my observations. They are not meant to put anyone down but only to help build our organization. I will submit the results of Mr. Piersante's review after meeting with him.