

INTER-OFFICE MEMORANDUM

Date

September , 1988

To: Chief of Police, William L. Hart (Through Channels)

Subject: IAS CASE 88-217/MISCONDUCT SUMMARY
POLICE OFFICER VIBER DAVIS, BADGE 4608
ASSIGNED: INTERNAL AFFAIRS SECTION
APPOINTED: JULY 5, 1977
ALLEGATION: INTERFERE WITH A CITY OFFICIAL IN THE PERFORMANCE OF HIS/HER
DUTY; SUBSTANCE ABUSE

ICB INVESTIGATOR:
Sergeant Peter Bullach

On Sunday, August 28, 1988, at approximately 2:00 AM, uniform police officers of the Tenth Precinct had occasion to be in the vicinity of 2665 Virginia Park, a known, high volume, narcotic trafficking area.

At that location, the officers initiated an investigation of three (3) black male subjects observed loitering in front of the residence. As the officers were questioning the trio, one of the subjects placed a forty ounce beer bottle on the rear trunk deck of a brown 1983 Oldsmobile sedan, parked in the close proximity of the residence. This vehicle was occupied by two (2) additional black males.

As the officers continued with their investigation, the Oldsmobile sedan, with the beer bottle still positioned on the trunk deck, pulled from the curb and began to drive away. Recognizing the hazard, the officers immediately directed the driver to stop the vehicle. At this time the passenger, later identified as L.C. Barns, B/M/29, of 13142 Compass, Detroit Police Department Identification Number 424748, exited the Oldsmobile. After being confronted by one of the officers, Barns attempted to conceal and/or discard two (2) "small rocks" of suspected crack cocaine. A struggle ensued between Barns and one officer, during which time the driver of the vehicle, later identified as off-duty Police Officer Viber Davis, Badge 4806, of the Internal Affairs Section, verbally, and to a lesser degree physically, attempted to intervene in the arrest of Mr. Barns. Both subjects were restrained without further incident. Subject Barns was placed under arrest for possession of the suspected crack cocaine.

After being advised by Davis that he was a Detroit Police Officer, the patrol units summoned a supervisor to the scene.

Upon the arrival of the supervisor, Officer Davis was requested to respond to the Tenth Precinct. After refusing to comply, he was arrested and conveyed to the precinct by order of the responding supervisor.

Subject L.C. Barns was subsequently charged on Complaint Number U-336-809, with violation of the city controlled substance code for possession of 0.6 grams of cocaine.