

Friday, July 11, 1975

LEGAL MOTIONS

Various legal motions by Harrison, Lippett, Varga and Rice for mistrial, severance or suppression: denied. Testimony of HAROLD CHAPMAN found to be admissible with several limitations.

Mr Hayes' motion to endorse FINNIGAN granted.

WITNESS: WILEY REED

Re-Cross (SAPALA)

REED given approx. 300 checks by GUIDO IACONNELLI at lawn mower shop in summer of 1971. BATTLE was also present. Exchange occurred in shop's repair area - not in office. Printed on checks was something like "GEORGE MAYS LAWN SERVICE"; no writing or signature on checks. REED gave some checks to Agent FINNIGAN in late 1971 - early 1972; less than 25 checks, don't recall exactly; about 2 mos. after acquiring them. REED did not mention the checks to Chief BENNETT in either statement (Sept. 9; Oct. 31) nor to the Grand Jury. Don't recall when first told Task Force; wasn't asked what he "had" on IACONNELLI.

Re-Cross (HARRISON) (Separate record; jury excused):

REED has received \$19,000 from Task Force. No cash or other items were given him by Chief BENNETT, Detail 318 or officers SANDERS and GATES. Witness excused.

WITNESS: HAROLD CHAPMAN

Direct Examination (Mr. Gibbs):

28 yrs. old; was in Detroit from Jan. 1968 to Jan. 1973. Income from dealing in drugs (heroin; cocaine). Identified RUDY DAVIS as a source of his drugs from late 1970 = early 1971 to Jan. 1973. Pointed out DAVIS in Court. DAVIS delivered 2-3 times per week. Knew DAVIS to be a police sergeant (narcotics).

First contact with DAVIS at apartment 104, Boston and Wildemere (later Lawton) - CHAPMAN's residence and "dope house". CHAPMAN, CAROLINE BOYD (girlfriend), CARL JOHNSON, "JESSE" and one other person in apartment when door "came down" and R. DAVIS, BOBBY MCGEE and PATTERSON entered. "Warm month" (summer) 1971, 2 or 3 p.m. Later learned that MCGEE was a 10th Precinct officer, (narcotics). They told CHAPMAN and others to lay on floor near wall, don't move. Officers searched apartment. Found and confiscated two (2) "bricks" marijuana (bedroom closet); (2) two Smith and Wesson .38's (one in bedroom under mattress; one under couch in living room); \$1,100 cash (proceeds from drugs; in bedroom; small bills). CHAPMAN saw cash and marijuana just before "raid". Officers wore army fatigues; DAVIS wore short

sleeves. No one arrested; no search warrant; no receipt; never recovered confiscated property.

CHAPMAN called DAVIS, "RUDY"; DAVIS called CHAPMAN, "BUTCH". CHAPMAN talked to DAVIS two (2) days after "raid" at 10th Precinct. Went to get property back. Talked by drinking fountain near DAVIS' office. (Narcotics deliveries occurred by Coke machine at 10th Precinct - not drinking fountain.) Ask for property; DAVIS said "wait". Never recovered it.

CHAPMAN (or others present) were never charged for possession of narcotics or unregistered guns.

Cash was also taken from CAROLINE BOYD's person (personal areas - "breasts"; "lower part"). Officers remained for 25 minutes. CHAPMAN did not actually see items taken.

DAVIS' office at 10th is at end of hallway to left; didn't go in office. CHAPMAN said: "If you took mine you can take someone else's." DAVIS said "hold tight" and CHAPMAN left.

Second Contact: At apartment; Boston and Lawton. Watching T.V. when DAVIS and McGEE entered; door open. McGEE wearing jeans. DAVIS checked behind doors of rooms then took out envelope and placed on living room table. Both left without talking about envelope. Found to contain two (2) ounces of "coke"; "good stuff". Later he asked DAVIS for more cocaine; then selling for \$150-175 per "1/4".

Next Contact: CHAPMAN called DAVIS at "10th" to ask for more "coke", and DAVIS said "see you later". Met behind 10th Precinct building. CHAPMAN stood in designated spot, McGEE looked out; saw him. DAVIS left his office, went to precinct property room. Told McGEE to get larger envelope because a small one he had "busted". McGEE got larger envelope and DAVIS took these behind desk in property room. McGEE told CHAPMAN to leave. CHAPMAN left; drove 1/2 block away turned left; parked. Later a red Chevy pulled out of "10th". DAVIS driving, McGEE passenger. CHAPMAN got into Chevy and drove around with them. Envelope between passenger seat and door. CHAPMAN took envelope; two (2) ounces cocaine. No financial arrangements. Narcotics "given" to him.

Later discussion of financial agreement. CHAPMAN moved to apartment on Pasadena Street. DAVIS came to back window via alley at Pasadena and Dexter. DAVIS asked what narcotics was worth, CHAPMAN told him; agreed to give DAVIS 1/2 the profits from sale. Arrangement remained the same thereafter.

DAVIS met CHAPMAN 2-3 times per week; delivered varying amounts of dope. Largest amount: 30 to 35 "1/4's" of heroin over 2 or 3 days. Quality was "P" but varied; worth \$175 per "1/4". CHAPMAN sold it; don't recall sales price. CHAPMAN called DAVIS after each sale and told him his share. Didn't count

"steps" - adding or "cutting" dope by diluting with other substance in equal amounts. Sometimes 18 "steps". People did not "shoot-up" at CHAPMAN's. CHAPMAN sold all quantities; "bags" and up; but not \$5 or \$10 except to friends. Relationship with DAVIS began first "gift" of cocaine; ended when CHAPMAN subpoenaed before grand jury. Sometimes no deliveries of dope from DAVIS for a week or so; on furlough. Delivery before leaving and afterwards.

Took deliveries at "10th" three or four times. Procedure: come in front, turn right by Coke machine, stop by pay phone. McGEE would walk by, get dope, walk back, give dope to CHAPMAN as he passed telephone.

CHAPMAN phoned DAVIS at home. Talked to DAVIS or his wife. Used name "BUTCH". Never went to DAVIS' house. Met across street; Great Scott parking lot; Southfield and Grand River. Talked about grand jury; pressure on, "getting tight", need dope to get by.

DAVIS Cars: Red Chevy; gold Pontiac with black vinyl top, daughter's white Pontiac. McGEE drove black Monte Carlo.

CHAPMAN's Record: Charge plate use, 1965; no "ops" 1968; Assault and Battery, 1972; attempt robbery armed, 1972; larceny from person/attempt armed robbery, 1973; nothing pending; not "dealing" now.

Last received narcotics from DAVIS a few days before grand jury subpoena; can't recall exact date. Taken to grand jury by Detroit Policemen in 1973; "warm"; springtime.

Talked to DAVIS about grand jury testimony. DAVIS called, set up meeting at Sears' parking lot to talk to DAVIS' "boss", Lt. PORTER, gave PORTER false account of grand jury circumstances by agreement with DAVIS. Told PORTER, CHAPMAN was kidnapped by two (2) D.P.D. officers at gunpoint. Said officers changed cars and took him to grand jury.

CHAPMAN got cash from DAVIS three (3) times: \$250, \$300; \$350.00.

Met with DAVIS, a lawyer (not HARRISON), GEORGE "TEXAS SLIM" DUDLEY at Blazo's Restaurant in Royal Oak. CHAPMAN knew DUDLEY for years; since a "kid". CHAPMAN armed w/.38 colt; others armed except for attorney. Purpose: to discuss testifying about DAVIS. No reference to 10th Precinct, just DAVIS.

SEPARATE RECORD (Jury Excused):

(DUDLEY said 10th Precinct was "ours" if no testimony.) DAVIS had asked DUDLEY to talk to CHAPMAN about testifying. DUDLEY told DAVIS there is nothing to worry about.

ON RECORD (Jury Present):

R. HARRISON was not the attorney present at Blazo's meeting, CHAPMAN is testifying under a grant of immunity.

MONDAY, JULY 14, 1975

WITNESS: HAROLD CHAPMAN
CROSS-EXAM (HARRISON):

Four past convictions; on parole since August 12, 1974; parole expires Nov. 1975. Been in narcotics business since 1967. Is not a "junkie". Did use heroin in past but not now. Never injected; only "snorted"; just stopped using 2 years ago. Used ~~injected~~ only occasionally; about 1/8 of a teaspoon per hit. He liked ~~only~~ it; gave pleasurable sensation, made him alert.

Supplier of drugs in 1966: no need for it, didn't "use";
1967: HAROLD JOHNSON (dead now); 1968 and 1969: CHARLES WEAVER
(still alive, no longer a supplier); 1970: RENARD CARTER
(alive; no longer a supplier; incarcerated).

Addresses used as dope houses: 4 or 5; can remember only two
13750 Pasadena and 2956 W. Boston.

Residence in 1967: 19939 Outer Dr.; 1968: same; 1969: Boston
St.; 1970: same; 1971: Boston St., then Pasadena St.; 1972:
Pasadena St; 1973: Jackson State Penitentiary; 1974: Jackson
and then another place. From there to 6021 Whitewood and then
to present address.

Alias: None. (Nickname "Butch"). Never used the names WARREN
CLARK or ANDERSON HUGHES.

Is under Immunity; not protected from present perjury. Promised
security and protection from Detail 318; also agreed to relocate.
Never discussed money or a new name. Hasn't sold narcotics since
parole.

Present employment: cashier at a business; take home pay \$125.00
per check.

Talked to Detail 318 since last Friday (July 11) every day for
35-45 minutes. Today (July 14) to Mr. GIBBS for 15 minutes;
Detail 318 also present: BENNETT, GATES, SANDERS, ANDREWS, LASALLE.

Knowingly lied to grand jury in effort to conceal RUDY DAVIS' criminal
activity. He and Davis were "seller" and "source"; made good money.
Knows this was perjury. He and DAVIS were also "friends". Grand
Jury testimony, pgs. 3, 5, 14 and 15: HARRISON points out that
CHAPMAN told grand jury that DAVIS ripped him off and other
potentially incriminating testimony and asks how this could be
considered lying to cover-up for DAVIS. Therefore he "must have
told the truth" (HARRISON). The reporter was not inaccurate.
Grand Jury testimony, pg. 7. Impeached as to types of revolvers
taken in the DAVIS raid (originally said two .38's; one .38 and
"over/under" .22).

Didn't tell grand jury that CONRAD BELL was victim of illegal DAVIS raid. Impeached; Grand jury testimony, pg. 14, where it is indicated that he did tell the grand jury about such a raid. Grand Jury testimony, pg 6; impeached as to amount of cash taken in the DAVIS raid from CHAPMAN's wife's person. (originally said \$1,600 and only \$1,200 on direct).

CHAPMAN indicated that he mentioned to MR. HAYES that Officers COOK and SANDERS forced him to come before grand jury but this was an "aside" and not on grand jury record - even though stated in the jury room (near door). Impeached; grand jury testimony, pgs 15-16, where forceful abduction was indicated and recorded. CHAPMAN claims part about officers having guns drawn was unrecorded and that MR. HAYES did not ask about guns at grand jury. CHAPMAN has not been charged with perjury.

CHAPMAN called RUDY DAVIS after leaving grand jury to tell about testimony. DAVIS not present at "abduction". Met LT. PORTER with DAVIS and McGEE at Sear's parking lot. Lied to PORTER as to "kidnapping" and that SHIRLEY FROLIC witnessed it; took him to unmarked car occupied by officers GATES and CRAWFORD who offered him marijuana and said they wanted to "get that honky DAVIS". GATES and CRAWFORD had been over before; smoked marijuana. Didn't tell PORTER that DAVIS had \$1/4 million and yacht.

CHAPMAN's wife called DAVIS and maybe MAURICE LLOYD (detroit policeman under federal grant). CHAPMAN is his informant; not any more. Detail 318 didn't say that COOK and SANDERS didn't file a report on the "abduction", was in New York a week ago last Wednesday (July 2) but not to make "buys" for LLOYD. Knew him since 1972 as informant; did not call LLOYD Wednesday, July 9. Is not, never was, RUDY DAVIS' informant. Did not provide confidential information for following raids and search warrants:

JOHNNY BEATRICE HANEY,	3125 Waverly, upper flat,	1-6-72
C. BELL,	7961 Post St.,	12-15-71
OTTIS ROBINSON,	3455 W. CHICAGO, #20,	12-16-71
GERALD & MARSHA KILABREW,	3809 Hazlewood,	1-21-72
FRED ROLLINS,		12-10-71
ROBERT DIXON,	16501 STEELE	2-24-72
JOYCE WATELY,	12002 TULLER	3-16-72
HENRY,	6364 14th ST.,	4-11-72
C. HARDAWAYS,	9651 GENESEE,	6-19-72
TOM JUNIOR	BOSTON	8-17-72
JULIAN TOWNSEND	11845 LaSALLE #412	9-11-72
LEO HUNT, JR.	18114 Cherrylawn,	11-17-72
LARRY DOZIER,		1-25-73
CLAUD and	1705 Taylor,	6-11-71
WALT	Longfellow,	10-13-71
WILLIE JOHNSON	2275 EWALD CR., #209,	3-22-73
TERRY LAUREY	9809 Dexter, #2,	5-9-72

CHAPMAN never gave info. as DAVIS informant; was not "B-1" and had no code name for LLOYD. Was not told that BENNETT called LLOYD before this trial testimony.

Stated that in statement to GATES and SANDERS, they did not ask if he was "wired" when they came to take him to grand jury. Impeached; statement indicates they did so ask. Don't know if SANDERS was nervous.

"SET-UPS" for LLOYD: two (2) in two years to "buy off" a case against him (not murder or narcotics case): NORMAN BURTON in New York and JOHN BAILEY. Not now trying to "save" himself.

RE-DIRECT (MR. GIBBS)

Has heard of "MOUSTACHE"; don't "know" him. Is a 10th precinct officer. Talked to DAVIS about "MOUSTACHE"; warm month 1972; behind CHAPMAN'S apartment. DAVIS Asked if CHAPMAN knew "MOUSTACHE". DAVIS heard "MOUSTACHE" was supplying a couple of "joints" (dope houses) and if CHAPMAN found out, let DAVIS know. Knew R. McGEE was an officer on DAVIS' crew; had contact since Jan. 1973.

SEPARATE RECORD (Jury excused) (Harrison objection sustained; testimony not permitted before jury):

Recent contact with McGEE after parole. McGEE asked to be helped out; accused of misappropriating funds for "buys", needed someone to say they were "B-1". Showed CHAPMAN a list of places, asked to admit to informing on these. Agreed. Don't recall if same list as HARRISON cross-exam.

SEPARATE RECORD (con't); (later in presence of jury):

Warned of constitutional rights prior to giving the GATES, SANDERS, Statement. Spoke truthfully. (These answers in presence of jury).

RE-CROSS (VARGA)

Didn't actually "know" "MOUSTACHE". Didn't mention him to grand jury or in other statements, except: one of the July 9th statements (not the 12:40) where he said he didn't know anything about him.
WITNESS EXCUSED

WITNESS: LARRY McNEAL - DIRECT EXAMINATION (MR. STEELE):

Immunity; 28 yrs. old; born: Birmingham, Ala.; 11th grade education. Left Birmingham for Detroit in Sept. 1970 at request of brother, ROY McNEAL ("ALABAMA RED") who resided at 1976 Pingree (upper flat). R. McNEAL occupation: narcotics dealer; wanted LARRY to help him