

COMPLAINT AGAINST THE POLICE OF THE FIFTH AND SEVENTH PRECINCTS, DETROIT, MICHIGAN

POLICE PROTECTION. THIS ATTEMPT HAS AROUSED THE ANTAGONISM OF THE POLICE DEPARTMENT AND PARTICULARLY THOSE OFFICERS WHO HAVE THE MOST DAY-TO-DAY CONTACT WITH THE COMMUNITY--THOSE WHO WALK BEATS AND RIDE IN PATROL CARS. THE REACTION

INTRODUCTION

SINCE IT FIRST DECIDED TO WORK ON THE EAST SIDE OF DETROIT IN AN ATTEMPT TO BUILD STRONG, LOCALLY-LED COMMUNITY ORGANIZATIONS WHICH COULD EXPRESS THE NEEDS AND POWER OF THE BLACK COMMUNITY, THE NORTHERN STUDENT MOVEMENT AND ITS COMMUNITY AFFILIATES, THE ADULT COMMUNITY MOVEMENT FOR EQUALITY AND THE BARBOUR COMMUNITY STUDENT MOVEMENT, HAVE BEEN THE TARGET OF AN EXTRAORDINARY AMOUNT OF POLICE HARASSMENT.

THIS HARASSMENT HAS TAKEN PLACE IN THE FIFTH AND SEVENTH PRECINCTS. THE FOLLOWING DOCUMENT LISTS SOME OF THE MAJOR INCIDENTS WHICH HAVE TAKEN PLACE DURING THE PAST TWO YEARS. IT DOES NOT, HOWEVER, ATTEMPT TO LIST THE COUNTLESS VERBAL INSULTS TO WHICH MEMBERS OF THE ABOVE ORGANIZATIONS HAVE BEEN SUBJECTED BY CERTAIN OFFICERS. NOR DOES IT ATTEMPT TO RELATE EVERY INCIDENT OF HARASSMENT AND INTIMIDATION. THERE HAVE BEEN NUMEROUS INCIDENTS IN WHICH THE ORGANIZATIONS HAVE BEEN THE SUBJECT OF POLICE SCRUTINY THROUGH THE OBSERVATION OF THEIR OFFICES, THE MAINTAINING OF EXTENSIVE FILES ON THEIR WORK AND A VARIETY OF OTHER METHODS WHICH ARE NOT INCLUDED HERE. NOR DOES THIS DOCUMENT ATTEMPT TO DOCUMENT THE RELATIONSHIP BETWEEN THE POLICE AND MEMBERS OF THE COMMUNITY WHO ARE NOT AFFILIATED WITH ONE OF THE ABOVE ORGANIZATIONS.

WE BELIEVE THERE ARE TWO MAJOR CAUSES FOR THE TREATMENT WE HAVE RECEIVED. THE FIRST IS THAT WE HAVE ATTEMPTED FROM THE FIRST TO WORK IN THE COMMUNITY TO CHANGE THE PRACTICES OF THE POLICE DEPARTMENT IN THE GHETTO. WE BELIEVE THOSE PRACTICES HAVE TRADITIONALLY RESULTED IN GROSSLY DISCRIMINATORY AND UNFAIR



POLICE PROTECTION. THIS ATTEMPT HAS AROUSED THE ANTAGONISM OF THE POLICE DEPARTMENT AND PARTICULARLY THOSE MEMBERS WHO HAVE THE MOST DAY-TO-DAY CONTACT WITH THE COMMUNITY--THOSE WHO WALK BEATS AND RIDE IN PATROL CARS. THE REACTION OF THE POLICE TO OUR ATTEMPTS TO CALL ATTENTION TO POLICE MISCONDUCT AND TO SUGGEST SOLUTIONS TO THIS PROBLEM HAVE BEEN EXTREMELY BOSTILE. WOULD BE FILED

AGAINST WE BELIEVE THE SECOND MAJOR CAUSE OF THE TREATMENT WE HAVE RECEIVED IS THAT THE OVERWHELMING MAJORITY OF WHITE POLICEMEN BELIEVE THAT THE MAJORITY OF NEGROES ARE CRIMINALS OR POTENTIAL CRIMINALS AND THAT THEY CONSIDER THEMSELVES TO BE SUPERIOR TO NEGROES. THE MAJORITY OF WHITE POLICEMEN SEE THEIR JOB NOT AS PROTECTING THE COMMUNITY FROM CRIMINALS, BUT RATHER AS PROTECTING THE WHITE COMMUNITY FROM THE NEGRO COMMUNITY. THE POLICE ARE OPPOSED TO ANY ATTEMPT BY THE NEGRO COMMUNITY TO IMPROVE ITS POSITION; THEY WANT TO MAINTAIN THE STATUS QUO. THE STATUS QUO MEANS THAT THE POLICE CONTINUE, IN THE NEGRO COMMUNITY, TO BE THE DOMINANT FORCE AND, WITH THE SUPPORT OF THE COURTS AND THE PROSECUTORS, TO REMAIN A LAW UNTO THEMSELVES, SUBJECT TO NO CONTROL BY THOSE WHOM THEY ARE SUPPOSED TO SERVE. BY THE NEGRO AND INTERVENTION OF

A POLICEMAN, MR. MOORE. ON THURSDAY, FEBRUARY 6, THE STUDENTS WERE

STATED THE NORTHERN STUDENT MOVEMENT AND THE ADULT COMMUNITY MOVEMENT FOR EQUALITY CHARGE THAT THEY ARE DENIED EQUAL PROTECTION OF THE LAW BY POLICE HARASSMENT AND DELIBERATE PROVOCATION OF THEIR MEMBERSHIP.

DRIVING FROM THE BEARS OF THE STATE'S ADMINISTRATION ON FEBRUARY 5, 1968, MR. THOMAS HARRISON, A MEMBER FOR THE NORTHERN STUDENT MOVEMENT, AND HIS WIFE WERE FOLLOWED MORE THAN TWO MILES BY A POLICE MOTORCYCLE AND GIVEN



A TICKET FOR CHANGING LANES WITHOUT SIGNALLING BY AN OFFICER, BADGE #61, ON THE EGGEL FORD EXPRESSWAY. THERE WAS NO TRAFFIC AT THE TIME OF MR. HARRISON'S ALLEGED OFFENSE.

ON FEBRUARY 4, 1964, RUSSELL SMITH, A MEMBER OF THE BARBOUR COMMUNITY STUDENT MOVEMENT WAS STRUCK BY PATROLMAN KENNETH RAY OF THE FIFTH PRECINCT DURING A DEMONSTRATION AT BANNER'S SUPERMARKET, GRATIOT AT PARKER. AFTER THE OFFICER IN CHARGE, SERGEANT KRUZKA, WAS TOLD THAT A COMPLAINT WOULD BE FILED AGAINST OFFICER RAY, HE ORDERED THE ARREST OF SMITH. FIFTEEN FELLOW STUDENTS PROTESTED THE ARREST BY SITTING DOWN IN FRONT OF THE SQUAD CAR. NINE STUDENTS WERE ARRESTED AND HELD UNTIL 3:00 A.M., WHEN THEY WERE RELEASED OWING TO THE INTERVENTION OF JUDGE LINCOLN. NONE OF THE CHILDREN WERE PROSECUTED. MEMBERS OF THE NSM STAFF WERE PRESENT AT THE DEMONSTRATION.

II

ON FEBRUARY 5, 1964, FOUR GIRLS, MEMBERS OF THE BARBOUR COMMUNITY STUDENT MOVEMENT, WERE SUSPENDED FROM BARBOUR JUNIOR HIGH SCHOOL FOR THEIR PICKETING ACTIVITIES AT BANNER'S SUPERMARKET AT THE URGING AND INTERVENTION OF A POLICEWOMAN, MRS. MOORE. ON THURSDAY, FEBRUARY 6, THE STUDENTS WERE REINSTATED ON THE DEMAND OF THEIR PARENTS.

III

DRIVING FROM THE SCENE OF THE BANNER'S DEMONSTRATION ON FEBRUARY 5, 1964, MR. THURMAN HARRISON, A WORKER FOR THE NORTHERN STUDENT MOVEMENT, AND HIS WIFE WERE FOLLOWED MORE THAN TWO MILES BY A POLICE MOTORCYCLE AND GIVEN



A TICKET FOR CHANGING LANES WITHOUT SIGNALLING BY AN OFFICER, BADGE 141, ON THE EDSSEL FORD EXPRESSWAY. THERE WAS NO TRAFFIC AT THE TIME OF MR. HARRISON'S ALLEGED OFFENSE.

IV

ON THURSDAY, FEBRUARY 6, 1964, MR. BARRY KALISH, AN ASSOCIATE OF THE NORTHERN STUDENT MOVEMENT AND ADVISER TO THE BARBOUR COMMUNITY STUDENT MOVEMENT, WAS ARRESTED FOR "CONTRIBUTING TO THE DELINQUENCY OF A MINOR"; HIS CASE IS NOW PENDING ON APPEAL.

V

ON APRIL 13, 1964, MEMBERS OF THE BARBOUR COMMUNITY STUDENT MOVEMENT AND OTHER INTERESTED PARTIES WERE HOLDING A MEETING IN THE NORTHERN STUDENT MOVEMENT OFFICE, 7625 MACK AVENUE. POLICE INVADED THE MEETING, ARRESTED FIFTEEN PEOPLE IN A MOST BRUTAL FASHION AND SMASHED OUT THE WINDOWS OF THE OFFICE. AFTER INCARCERATION AND ARRAIGNMENT ON CHARGES OF ASSAULT AND BATTERY, PROSECUTION WAS DISCONTINUED.

NEW COUNTS OF DISORDERLY CONDUCT AND DISTURBING THE PEACE WERE BROUGHT AGAINST THE GROUP. CHARGES AGAINST TEN OF THE FIFTEEN WERE DISMISSED AT TRIAL BY THE COURT, FOUR WERE ACQUITTED AT TRIAL, AND ONE PERSON, RAYMOND HIBBITT, WAS GIVEN ONE YEAR'S PROBATION FOR DISTURBING THE PEACE. THE NORTHERN STUDENT MOVEMENT WAS EVICTED FROM ITS MACK OFFICE OWING TO THE DESTRUCTION OF THE PREMISES BY THE POLICE.



VI

ON APRIL 19, 1964, BARRY KALISH AND PETER WERBE, TWO ASSOCIATES OF NSM, WERE ARRESTED OUTSIDE THE NSM OFFICE AND TAKEN TO THE SEVENTH PRECINCT STATION ON INDETERMINANT CHARGES AND LATER RELEASED.

VII

ON MAY 8, 1964, ERIC CHESTER, AN ASSOCIATE OF THE NORTHERN STUDENT MOVEMENT AND A MEMBER OF ITS AFFILIATE, THE ADULT COMMUNITY MOVEMENT FOR EQUALITY, WAS ARRESTED IN NEISNER'S MARKET, 13128 JEFFERSON, BY OFFICER EUGENE NELSON, FOR INTERFERING AND OBSTRUCTING AN OFFICER. MR. CHESTER HAD OBJECTED TO THE OFFICER'S QUESTIONING OF MISS SHARON MAYES, A FELLOW MEMBER OF THE GROUPS. THE CHARGES AGAINST MR. CHESTER WERE DISMISSED BY THE COURT AT PRELIMINARY EXAMINATION.

VIII

ON NOVEMBER 29, 1964, AT ABOUT 3:30 A.M., MEMBERS OF THE ADULT COMMUNITY MOVEMENT FOR EQUALITY WERE ARRESTED BY OFFICERS OF THE FIFTH PRECINCT AT THE HOME OF MR. AND MRS. LOBERT MATTHEWS, 2247 BELVIDERE, DETROIT. FORTY-THREE PERSONS WERE JAILED, INCLUDING FRANK JOYCE, WHO HAD NOT BEEN PRESENT AT THE PARTY BUT ARRIVED ON THE SCENE AS THE POLICE WERE LOADING THE SUSPECTS INTO TWO POLICE WAGONS. AFTER ABOUT TEN HOURS' DETENTION, ALL FORTY-THREE WERE RELEASED WITHOUT CHARGE.



WHERE SIX OF HIS FRIENDS, ALL ACME MEMBERS, LATER ARRIVED TO INQUIRE ABOUT HIS SITUATION. THE SIX WERE PROMPT TO LEAVE THE STATION, AND, WITH THE EXCEPTION

IX  
ON DECEMBER 19, 1964, KENNETH KEATING AND AN OFFICER KNOWN AS "BIG RED" ENTERED THE ACME OFFICE AND ENTERED INTO A HEATED POLITICAL DISCUSSION WITH THE MEMBERS THEN PRESENT, INCLUDING EDDIE JACKSON, WILBERT MCCLENDON, MOSES WEDLOW AND FRANK JOYCE.

OTHER. CHARGES ARE NOW PENDING AGAINST SIX ACME MEMBERS FOR OBSTRUCTION AND CONSPIRACY TO OBSTRUCT IN THE PERFORMANCE X OF HIS DUTY AND ASSIST ONE MEMBER, RONALD LEE, FOR TEMPERING WITH AN INSTRUMENT.

ON JANUARY 8, 1965, EDDIE JACKSON WAS ARRESTED FOR DRUNKEDNESS BY OFFICER TURNEY OF THE FIFTH PRECINCT. ROGER DUMAS AND OTHER WITNESSES SITTING IN A NEARBY CAR AT THE TIME HEARD THE OFFICER IDENTIFY JACKSON AS A MEMBER OF ACME PRIOR TO HIS ARREST.

SEVERAL OF HIS STUDENTS WHO WERE TOURING THE FIFTH PRECINCT STATION NOTICED A POSTER ON A WALL INSIDE THE STATION XI WHICH PICTURED A MISSING WHITE GIRL. THE CAPTION UNDERNEATH THE PICTURE WAS ALTERED SO AS TO READ, "BELIEVED TO

BE PROST. ON OR ABOUT THE 24TH OF APRIL, 1965, AN UNIDENTIFIED POLICEMAN ENTERED THE ACME OFFICE PURPORTING TO USE THE TELEPHONE AND ARRESTED ED KAVER ON INVESTIGATION. MR. KAVER WAS RELEASED AFTER SEVEN HOURS DETENTION.

ON JAN, 15, 1965, PETER WINE XII AN ASSOCIATE OF ACME AND NSA, WAS RELEASED ON HIS OWN FROM THE ACME OFFICE ON RICHMOND, STOPPED AT THE CORNER

ON MAY 23, 1965, MOSES WEDLOW, A MEMBER OF ACME, WAS STOPPED WHILE DRIVING A CAR AND ARRESTED FOR DRIVING WITHOUT A LICENSE. MR. WEDLOW WAS PLACED IN A "BIG FOUR" CRUISER AND DRIVEN TO THE FIFTH PRECINCT STATION,



WHERE SIX OF HIS FRIENDS, ALL ACME MEMBERS, LATER ARRIVED TO INQUIRE ABOUT HIS SITUATION. THE SIX WERE ORDERED TO LEAVE THE STATION, AND, WITH THE EXCEPTION OF WILLIE WILLIAMS, WHO STOPPED TO MAKE A CALL IN THE INSIDE PHONE BOOTH, THEY RETURNED TO THE CARS IN THE PARKING LOT OF THE STATION. THERE THEY WERE JOINED BY WILBERT McCLENDON, ANOTHER ACME MEMBER. AFTER ARRESTING MR. WILLIAMS IN THE PHONE BOOTH, SEVERAL POLICE WENT OUT TO THE PARKING LOT AND ARRESTED THE OTHERS. CHARGES ARE NOW PENDING AGAINST SIX ACME MEMBERS FOR RESISTING AND OBSTRUCTING AN OFFICER IN THE PERFORMANCE OF HIS DUTY AND AGAINST ONE MEMBER, RONALD LEE, FOR TAMPERING WITH AN AUTOMOBILE.

THE FOLLOWING DAY, ON MAY 27, 1965, DR. WILLIAM BUNGE OF WAYNE STATE UNIVERSITY AND SEVERAL

OF HIS STUDENTS WHO WERE TOURING THE FIFTH PRECINCT STATION NOTICED A POSTER ON A WALL INSIDE THE STATION WHICH PICTURED A MISSING WHITE GIRL. THE CAPTION UNDERNEATH THE PICTURE WAS ALTERED SO AS TO READ, "BELIEVED TO BE PROSTITUTING HERSELF WITH NEGRO MEN. IF FOUND, CONTACT ACME."

ON MAY 28, 1965, DR. WILLIAM BUNGE OF WAYNE STATE UNIVERSITY AND SEVERAL OF HIS STUDENTS WHO WERE TOURING THE FIFTH PRECINCT STATION NOTICED A POSTER ON A WALL INSIDE THE STATION WHICH PICTURED A MISSING WHITE GIRL. THE CAPTION UNDERNEATH THE PICTURE WAS ALTERED SO AS TO READ, "BELIEVED TO BE PROSTITUTING HERSELF WITH NEGRO MEN. IF FOUND, CONTACT ACME."

ON JUNE 25, 1965, NEDS WEDLOW, KNOWN TO BE AN ACME MEMBER, WAS GIVEN A TICKET FOR LOITERING BY OFFICER JARNEY, WHO TESTIFIED AT A HEARING BEFORE TRAFFIC COURT JUDGE HANES THAT WEDLOW WAS IMPEDING PEDESTRIANS.

ON JUNE 15, 1965, PETER WERBE, AN ASSOCIATE OF ACME AND NSM, WAS FOLLOWED IN HIS CAR FROM THE ACME OFFICE ON KERCHEVAL, STOPPED AT THE CORNER OF PARKER AND KERCHEVAL AND GIVEN A TICKET FOR SPEEDING BY AN OFFICER FROM THE FIFTH PRECINCT. ALEXANDER SHIMKIN, A STAFF MEMBER OF NSM, WAS A PASSENGER IN MR. WERBE'S CAR AT THE TIME.



ON JUNE 16, 1965, ALEXANDER SHIMKIN, WHILE DRIVING THE NSM STAFF CAR, WAS FOLLOWED FROM THE ACME OFFICE ON KERCHEVAL, STOPPED AT THE CORNER OF PARKER AND VAN DYKE AND GIVEN A TICKET FOR SPEEDING. MR. SHIMKIN IDENTIFIED THE OFFICER AS THE SAME ONE WHICH HAD STOPPED MR. WERBE AND HIM ON JULY 15. MR. SHIMKIN WAS ASKED FOR HIS DRIVER'S LICENSE AND PRODUCED A VALID ILLINOIS LICENSE. HE WAS ARRESTED FOR NOT HAVING A VALID MICHIGAN OPERATOR'S LICENSE AND TAKEN TO THE FIFTH PRECINCT, WHERE THE CAR WAS IMPOUNDED. HE WAS ACQUITTED THE FOLLOWING DAY.

MR. FRANK JOYCE, ATTEMPTING TO REDEEM THE IMPOUNDED CAR, WHICH IS REGISTERED IN HIS NAME, WAS ARRESTED AT THE AUTO POUND FOR DELINQUENT TRAFFIC TICKETS. AFTER PAYING A \$15 BOND FOR THE TICKETS, HE WAS HELD AT THE FIFTH PRECINCT FOR VIOLATION OF PROBATION.

ON JUNE 25, 1965, MOSES WEDLOW, KNOWN TO BE AN ACME MEMBER BY ARRESTING OFFICERS, WAS GIVEN A TICKET FOR LOITERING BY OFFICER TURNEY, WHO TESTIFIED AT A HEARING BEFORE TRAFFIC COURT JUDGE MAHER THAT WEDLOW WAS "IMPEDING PEDESTRIAN TRAFFIC." DESPITE EVIDENCE SUBMITTED THAT THE SIDEWALK WHERE MR. WEDLOW WAS PURPORTEDLY BLOCKING TRAFFIC WAS OVER ELEVEN FEET WIDE, MR. WEDLOW WAS FOUND GUILTY AND SENTENCED TO TEN DAYS IN THE DETROIT HOUSE OF CORRECTION. THE CASE IS NOW ON APPEAL.



XVII

ON JULY 10, FRANK JOYCE, AL HARRISON OF NSM AND CORTLAND COX OF SNCC JOINED A CROWD WHICH HAD CONGREGATED ON THE SIDEWALK OF SEYBURN BETWEEN CHARLEVOIX AND GOETHE, WHERE FOURTEEN POLICE CARS HAD BEEN SUMMONED TO ASSIST POLICE FROM ANOTHER CAR IN SUBDUING FIVE NEGRO YOUTHS. THE THREE WERE TOLD TO MOVE ON FROM THE SCENE OF THE ARRESTS AND, WITH THE REST OF THE CROWD, DID MOVE ON. THEY WERE FOLLOWED, HOWEVER, BY PATROLMAN ALBERT CARTER OF THE FIFTH PRECINCT, WHO RECOGNIZED THEM AND KNEW THEM TO BE CIVIL RIGHTS WORKERS A HALF BLOCK AWAY. THE THREE WERE ARRESTED BY PATROLMAN CARTER FOR FAILING PROPERLY TO MOVE ON; AND CHARGES ARE NOW PENDING AGAINST THEM FOR INTERFERING WITH AND OBSTRUCTING AN OFFICER IN THE PERFORMANCE OF HIS DUTY.

XVIII

ON JULY 14, 1965, RICHARD BUSS AND CHRISTOPHER AYRES, WORKERS FOR ACME, TOGETHER WITH THE CHILDREN OF AN ACME MEMBER, WERE DISTRIBUTING HANDBILLS ADVERTISING AN ACME-SPONSORED DEMONSTRATION AND RALLY AGAINST POLICE BRUTALITY. THEY WERE TAKEN TO THE SEVENTH PRECINCT STATION AND THERE CHARGED WITH A VIOLATION OF THE DETROIT STREET TRADES ORDINANCE. THEIR CASE IS PENDING.

DAVID BAKER, AN ACME WORKER WHO HAD ALSO BEEN DISTRIBUTING THE HANDBILLS MENTIONED ABOVE, WAS FOLLOWED FROM THE ACME OFFICE ON KERCHEVAL AND SEARCHED BY A "BIG FOUR" CRUISER CREW.



ON JULY 15, FOLLOWING AN ACME-SPONSORED RALLY AT THE FREE CHRISTIAN COMMUNITY CHURCH, MT. ELLIOT AND CHARLEVOIX, MR. CHARLES ABSTON, AN ACME MEMBER, WAS GIVEN A TICKET FOR "OBSTRUCTING TRAFFIC" AS HE WAS LOADING INTO HIS CAR PASSENGERS WHO WERE LEAVING THE RALLY. THERE WAS NO TRAFFIC ON THE STREET, AND THE TRAFFIC LIGHT A FEW YARDS AWAY WAS RED DURING THE LOADING. OFFICER BENNETT OF THE SEVENTH PRECINCT, WHO ISSUED THE TICKET, WAS A MAJOR FIGURE IN THE INCIDENT AT THE NSM MACK OFFICE DISCUSSED IN SEC. V ABOVE.