

2. James Henderson was shot in the back and killed by STRESS officers Raymond Peterson and James Brown in a hotel at Woodward and Charlotte at about 2:00 a.m., September 9, 1971. Peterson and Brown were on that occasion on detail with STRESS officers Michael Ziolkowski and Michael Worley.

3. On May 11, 1971, also at about 2:00 a.m., Henderson had witnessed the shooting by Peterson of one Herbert Childress.

4. Police claim that on the May 11 occasion Henderson had accosted Peterson on the street in front of 35 Charlotte and that Peterson had followed Henderson into the building to investigate the misdemeanor offense of accosting and soliciting. Once inside, according to police reports, Peterson was confronted by the knife-wielding Childress who threatened to kill him. Police claim that Peterson then

draw his gun, identified himself as a police officer and shot Childress twice, killing him.

5. Henderson, Childress' alleged accomplice, was arrested for assault with intent to murder but was inexplicably released without ever being so charged, or being charged with any felony offense whatever.

6. Sometime during the first week of September an unidentified STRESS officer at Woodward and Charlotte told Henderson they were going to "get" him.

7. Police claim that on September 9, Henderson accosted Patrolman Brown at Woodward and Charlotte and led him into a corner hotel where he got the drop on Brown, placed a knife to his throat and yelled for one Raleigh McDuffie to take his [Brown's] wallet. Upon getting the wallet, Henderson and McDuffie allegedly attempted to escape. Henderson, the witness and uncharged accomplice to Childress' murder, and the alleged provocateur in both incidents, was gunned down by Peterson and Brown, shot in the back. McDuffie was beaten in the lobby of the hotel and threatened by at least one officer with execution.

8. Although guilty by police accounts of the capital offense of robbery armed or assault with intent to rob while armed, and potentially guilty of felony murder, McDuffie was charged only with larceny from a person and was offered a plea to disorderly conduct which he accepted and for which he was placed on probation.

9. In actuality, as Plaintiffs are prepared to prove by sworn testimony before this Court, Officers Peterson and Brown were simply fulfilling the threat previously made to Henderson. James Henderson, the witness to a prior STRESS slaying, was murdered by STRESS officers.

10. Horace Pennicks and Howard Moore. At about midnight on July 5, 1971, STRESS Patrolman Michael Ziolkowski was walking west on Charlotte between Woodward and Park when he was allegedly approached by three men who asked him for a quarter. After stating that he had no quarter, Ziolkowski was allegedly again confronted by the men, one of whom now held a knife, and asked for all of his money. Ziolkowski claims then to have drawn his gun, displayed his badge, and told the men they were under arrest.

11. At this point the trio fled. Kenneth Hicks ran away from Ziolkowski down Charlotte and was felled in critical condition with a gunshot wound. Horace Pennicks and Howard Moore ran south into an alley and then east into another alley where they were met by STRESS Patrolman Raymond Peterson and Phillip Kocinski. The two were there shot to death, sustaining a total of five gunshot wounds between them.

12. In actuality, as Plaintiffs are prepared to prove by sworn testimony before this Court, Horace Pennicks and Howard Moore were victims of police murder, and Kenneth Hicks, who was guilty of no crime whatever, was the victim of a police assault with intent to rob being armed.