

COMMISSION ON COMMUNITY RELATIONS

WORK SHEET

CASE

NO. 64-119

OPEN (date) October 29, 1964

CLOSED \_\_\_\_\_

CLASSIFICATION: Police, City Department

DESCRIPTION: Police Brutality

INITIAL INFORMATION BY: Dwyer

SOURCE OF INFORMATION: Robert Himmel County Chairman  
Socialist Workers Party

ASSIGNMENT:

DETAILS, WORK PLAN, PROGRESS, ETC.:

On October 29, 1964 Dwyer received a letter re: incident. See attached. A full press release received on details of complaint against the police department.

November 3, 1964 Dwyer interviewed Himmel same information as in press release. Letter also sent to police, and to congressman Diggs. Complaint also made at Civil Rights Commission and ACLQ may enter if appeal is necessary on trails resulting from criminal charges.

November 4, 1964 Harcourt states David admitted hitting officers (who were off duty, one of them Peterson, was involved in Barbara Jackson case, but there are several issues in case.

November 17, 1964 Letter received from a Barabara Zurries supporting the Socialist Workers Party.

November 27, 1964 Robert Higgins, one of those charged by police Dept. in original incident, arrested for car theft. He claims ~~innocence~~ *innocence* and has witnesses.

Issues:

1. Police Harrassment
2. Questioning a political belief

December 8, 1964 Court, trial post phoned.

Present Status:

Investigation by Community Relation Commission and Citizen Complaint Bureau incomplete trial post phoned. Need following up, and a report to Congressman Diggs (See letter from Diggs, November 17th)

NOV 18 1964

# *Socialist Workers Party*

MICHIGAN HEADQUARTERS

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3737 WOODWARD AVENUE • DETROIT 1, MICHIGAN • TEmple 1-6135

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October 29, 1964

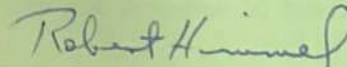
Commission on Community Relations  
Waterboard Building  
735 Randolph  
Detroit 26, Michigan

Gentlemen:

The attached material describes an incident of racial and political harrassment of peaceful citizens by members of the Detroit Police Department.

On behalf of the defendants, I want to protest this treatment. I am formally requesting that your office look into this matter and take appropriate action.

Yours truly,



Robert Himmel  
Wayne County Chairman

RH/ml

OCT 29 1964



SOCIALIST WORKERS PARTY  
MICHIGAN HEADQUARTERS  
3737 WOODWARD  
DETROIT 1, MICHIGAN

Contact: Robert Himmel  
Phone: TE 1-6135 or TE 3-8136

FOR IMMEDIATE RELEASE

DETROIT - OCTOBER 28 - Richard T. David, Socialist Workers Party candidate for U.S. Congress from the 13th District, lashed out today at law enforcement practices in Detroit. The Alabama-born Negro auto worker said, "Five of my supporters and I were picked up Saturday morning in front of my campaign headquarters by 'Detroit's finest' in as clear an instance of racial and political harrassment that I have yet seen."

David and Robert C. Higgins, a 17 year-old Negro high school student, have been charged with assault and battery by the Prosecutor's office. David has also been charged with malicious destruction of property. Three whites, Dorothea Breitman, Edward D'Angelo, 18, and Daniel Rosenshine, 20, have been charged with interference with an officer in the performance of his duties. Court examinations have been set for November 5 for the three whites and November 10 for David and Higgins.

The incident leading to the arrests took place at 2:30 Saturday morning, October 24. At that time David and Dorothea Breitman were sitting in a car in front of the Socialist Workers Party headquarters at 3737 Woodward, waiting for Robert Higgins to emerge from the building.

At that time, says David, "Two white men, who turned out to be policemen in plain clothes, passed the car, calling Mrs. Breitman a 'nigger lover.' I jumped from the car and a physical scuffle ensued, the two men not having identified themselves as police officers. Mrs. Breitman tried to intercede to stop the altercation and was knocked to the ground. Robert Higgins came out of the headquarters and saw the two men, apparently hooligans, fighting with me, his

(more)

OCT 29 1964



congressional candidate. Young Higgins also interceded, pulling one of the men off of me. This man, seeing himself in the position of having to contend with someone on a one-to-one basis, quickly flashed a police badge. This was the first time either of them had identified themselves as police officers, and at this time I still did not know it. By this time uniformed officers had arrived. As the cops were putting handcuffs on me, I was struck in the face with a flashlight and given a choke-hold that almost made me black out. Since then I have received hospital treatment for these injuries."

Within moments, two Young Socialists, Daniel Rosenshine and Edward D'Angelo, were placed under arrest with the others. According to Rosenshine, " I merely inquired of the officers whether Robert Higgins and Dorothea Breitman, co-workers and personal friends of mine, were under arrest. One of the officers answered with very strong language indicating that I should mind my own business and had no right to ask such a question. I then, in a moderate tone, asked for the officer's badge number so that I would be able to follow up properly at the police station. I was immediately placed under arrest. So was Edward D'Angelo, who was standing by my side, and had not said a word."

A sixth socialist, James Griffin, 17, was also arrested on the charge of interfering with the police. According to Griffin, he was standing on the sidewalk watching the incident when he was recognized by an officer who had previously picked him up for passing out campaign literature to high school students. The Prosecutor's office has since dropped the charges against Griffin.

The defendants state that they were subjected to continued racial insults on the way to the police station. Griffin, D'Angelo and Rosenshine claim that on the way to the station they were told by an officer, "You



guys sound worse than those niggers, talking about police brutality all of the time."

At the station, Richard T. David learned that he was to be charged with malicious destruction of property. He was accused of breaking the window of a policeman's private car with his fist. In his statement on the case, David says, "If this charge were true there would be cuts or bruises on my hands. There are not."

David went on, "charges such as 'assault and battery' and 'interfering with an officer' sound very imposing to a person who has been educated to think that policemen are protectors of the peoples' welfare. My education in life is that the police break more laws than the people they pick up, especially where Negroes are concerned. In this case, the police have lied, stating that I attacked them because I 'hate all whites.' And half a dozen of them are prepared to lie some more in order to make charges stick against five socialists who were minding their own business."

All five defendants will be defended by Milton Henry, prominent civil rights attorney and former Pontiac Councilman. Henry is currently the Freedom Now Party candidate in the 1st Congressional district.

On Wednesday, October 28, Richard T. David sent Congressman Charles C. Diggs Jr., his congressional opponent, a telegram requesting Diggs' intervention in the case. The telegram read, in part, "I demand that you investigate this incident in your district. Issue a statement against police brutality in general and this case in particular. The fact that I, a candidate for public office, was attacked shows that no Negro is exempt. Plans are being made for formal complaints to Michigan Civil Rights Commission and Police Commissioner Girardin. Request that you be co-complainant and actively intervene."

Congressman Diggs indicated in a return telegram, dated Thursday, October 29: "Please notify me where and with whom you have filed complaint and I will investigate."

COPY OF  
TELEGRAM

TO: CHARLES C. DIGGS JR.  
U.S. REPRESENTATIVE  
8401 WOODWARD  
DETROIT 2, MICHIGAN

As a Negro and the candidate of the Socialist Workers Party for the 13th Congressional seat, I request that you speak out on an incident of police brutality and harrassment perpetrated upon myself and five of my supporters in front of my campaign headquarters. Incident was provoked by two policemen in plain clothes who called one of my supporters, a woman, a "nigger lover." Am charged with malicious destruction of property, allegedly having broken the window of policeman's private car with my fist. If this charge were true then therewould be bruises or cuts on my hand. There are not. I, and Robert Higgins, a Negro youth, are being falsely charged with assault and battery. Dorothea Breitman, the woman who had been called "a nigger lover" by the unidentified police, was knocked to the ground when she tried to intercede and has been charged with interfering with an officer. Two student youth, Daniel Rosenshine and Edward D'Angelo, were arrested for interference when they inquired of the officers as to what was going on. I was hit in the face with a flashlight and choked with great severity, requiring hospital care.

I demand that you investigate this incident in your district. Issue a statement on police brutality in general and this case in particular. The fact I, a political candidate, was attacked shows that no Negro is exempt. Plans are being made for formal complaints to Michigan Civil Rights Commission and Police Commissioner Girardin. Request that you be co-complainant and actively intervene.

Richard T. David  
3737 Woodward TE 1-6135  
October 28, 1964



# THE Victim of Detroit Police Raps Brutal Practices

DETROIT, Oct. 25 — Richard T. David, Socialist Workers Party candidate for Congress from the 13th District, lashed out today at law-enforcement practices here. The Alabama-born Negro auto worker said, "Five of my supporters and I were picked up Saturday morning in front of my campaign headquarters by 'Detroit's finest' in as clear an instance of racial and political harassment that I have yet seen."

David and Robert C. Higgins, a 17-year-old Negro high-school student, have been charged with assault and battery. David has also been charged with malicious destruction of property. Three whites, Dorothea Breitman, Edward D'Angelo, 18, and Daniel Rosenshine, 20, have been charged with interference with an officer. Court examinations have been set for Nov. 5 for the three whites and Nov. 10 for David and Higgins.

The incident leading to the arrests took place at 2:30 a.m., Oct. 24. David and Dorothea Breitman were sitting in a car in front of the SWP headquarters at 3737 Woodward, waiting for Robert Higgins to emerge from the building.

At that time, says David, "Two white men, who turned out to be policemen in plain clothes, passed the car, calling Mrs. Breitman a 'nigger lover.' I jumped from the car and a physical scuffle ensued, the two men not having identified themselves as police officers. Mrs. Breitman tried to intercede to stop the altercation and was knocked to the ground. Robert Higgins came out of the headquarters and saw the two men, apparently hoodlums, fighting with me, his congressional candidate. Young Higgins also interceded pulling one of the men off of me. This man, seeing himself in the position of having to contend with someone on a one-to-one basis, quickly flashed a police badge. This was the first time either of them had identified themselves as police officers, and at this time I still did not know it. By this time uniformed officers had arrived. As the cops were putting handcuffs on me, I was struck in the face with a flashlight and given a choke hold that almost made me black out. Since then I have received hospital treatment for these injuries."

Within moments, two Young Socialists, Daniel Rosenshine and Edward D'Angelo, were placed under arrest with the others. According to Rosenshine, "I merely inquired of the officers whether Robert Higgins and Dorothea Breitman, co-workers and personal friends of mine, were under arrest. One of the officers an-



Richard David

swered with very strong language indicating that I should mind my own business. I then, in a moderate tone, asked for the officer's badge number so that I would be able to follow up properly at the police station. I was immediately placed under arrest. So was Edward D'Angelo, who standing by my side, and had not said a word."

James Griffin, 17, was also arrested on the charge of interfering with the police. According to Griffin, he was standing on the sidewalk watching the incident when he was recognized by an officer who had previously picked him up for passing out socialist campaign literature to high-school students. The prosecutor has since dropped the charges against Griffin.

The defendants state that they were subjected to racial insults on the way to the police station. Griffin, D'Angelo and Rosenshine claim that they were told by an officer, "You guys sound worse than those niggers, talking about police brutality all of the time."

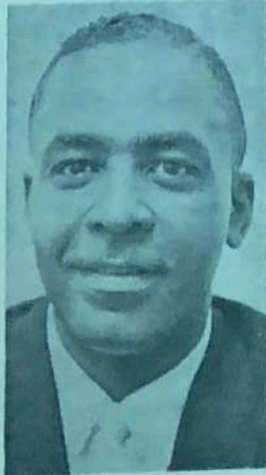
At the station, David learned that he was to be charged with malicious destruction of property. He was accused of breaking the window of a policeman's private car with his fist. In his statement, David says, "If this charge were true there would be cuts or bruises on my hands. There are not."

David went on, "charges such as 'assault and battery' and 'interfering with an officer' sound very imposing to a person who has been educated to think that policemen are protectors of the people's welfare. My education in life is that the police break more laws than the people they pick up, especially where Negroes are concerned. In this case, the police have lied, stating that I attacked them because I 'hate all whites.'"

All five defendants will be defended by Milton Henry, prominent civil-rights attorney and former Pontiac city councilman. Henry is currently the Freedom Now Party candidate in the 1st Congressional district.

On Oct. 28, David sent Congressman Charles C. Diggs Jr., his congressional opponent, a telegram requesting Diggs' intervention in the case. The telegram read, in part, "I demand that you investigate this incident in your district. Issue a statement against police brutality in general and this case in particular. The fact that I, a candidate for public office, was attacked shows that no Negro is exempt. Plans are being made for formal complaints to Michigan Civil Rights Commission and Police Commissioner Girardin. Request that you be co-complainant and actively intervene."

Congressman Diggs replied by telegram next day: "Please notify me where and with whom you have filed complaint and I will investigate."



Milton Henry

## DIGGS INVESTIGATES

# Candidate in 13th Fights Policemen

Charges of improper police procedures, the physical abuse of a candidate for public office and unprovoked verbal abuse of a woman have been lodged with the Michigan Civil Rights Commission, the Detroit Commission on Community Relations and Police Commissioner Girardin's office.

Filed in behalf of Richard T. David, Socialist Workers Party candidate for the U.S. House of Representative from the 13th District, and five of his campaign workers, the charges are being investigated by detectives from the Detroit police department Bureau of Community Relations and Rep. Charles C. Diggs.

The American Civil Liberties Union has also sent communiques in behalf of David.

According to David, on Saturday, Oct. 24, he and supporter Dorothea Breitman, were sitting in a car in front of the Socialist Workers party headquarters at 3737 Woodward, waiting for Robert Higgins, another worker, to come out of the building. At that time, says David, "two white men passed the car, calling Mrs. Breitman a 'nigger lover.'"

David jumped out of the car, and a scuffle ensued. David maintains he had no idea that the men were police officers.

Mrs. Breitman tried to stop the fight and was knocked to the ground, at which time Higgins came out of the building, saw the two men fighting with the candidate and went to intercede. As Higgins pulled one of the men off David, the man flashed his police badge—the first time, according to the defendants, that any identification was shown.

By this time uniformed officers arrived. They subdued David, and he says that as they put handcuffs on him, they struck him in the face with a flashlight and choked him so badly he required hospitalization and was unable to swallow for several days. Higgins, David and Mrs. Breitman were placed under arrest.

Two other young socialists, Daniel Rosenshine and Edward D'Angelo, approached the police officers and, according to Rosenshine, he "merely inquired of the officers whether Higgins, David and Mrs. Breitman were under arrest."

"One of the officers answered with very strong language indicating I should mind my business and had no right to ask such a

question," says Rosenshine. "I then, in a moderate tone asked for the officer's badge number so I would be able to follow up properly at the police station."

"I was immediately placed under arrest. So was Edward D'Angelo, who was standing by my side and had not said a word."

The men are charged with interfering with an officer in the performance of his duty.

A sixth Socialist, James Griffin, was also arrested on charges of interfering with an officer. He maintains he was standing on the sidewalk watching the incident when he was spotted by a policeman who had once picked him up for passing out campaign literature — charges that have since been dropped.

According to the defendants, they were subjected to continued insults on the way to the police station.

David was charged with "malicious destruction of property — accused of breaking the window of a policeman's private car with his fist. In his statement of denial he points out that his hands had no cuts or bruises."

David sent his Congressional opponent, Charles C. Diggs, a telegram requesting Diggs' intervention in the case, and Diggs said he would investigate.

Thursday, Nov. 5, Mrs. Breitman, Rosenshine and D'Angelo were bound over for trial on charges of interference with police officers by Recorder's Judge John Gillis. They are being defended by Atty. O. Lee Mollette, who is working with Atty. Milton Henry.



Tom

145 Woodlawn  
Royal Oak  
Michigan  
Nov 17, 1964

Gentlemen,

I am writing to you in regard to the case of Mr. Richard T. David, 13<sup>th</sup> Congressional District candidate for the U.S. House of Representatives, I am also writing to you in behalf of Mr. Robert Higgins who is charged with Mr. David and in behalf of Mrs. Breitman, Mr. Daniel Rosenshine, Mr. Edward D'Angelo, and Mr. James Griffin.

The charges and the basis of the charges are transparently racial and political in nature. I ask you to look into the charges which are being brought against the aforementioned defendants.

I hope you will not turn a deaf ear to pleas for justice just because some police officers who have misused the power they are intrusted

NOV 18 1964



with want to conceal their  
misuse of power from public  
scrutiny.

Sincerely  
Barbara Surris



*Bm*

18988 Northlawn  
Detroit, Michigan 48221  
November 17, 1964

Detroit Commission of Community Relations  
735 Randolph  
Detroit, Michigan

Gentlemen:

There is an Assault and Battery case pending against Richard R. David and Robert Higgins, their trial date is December 8, 1964. Richard T. David is also charged with Malicious Destruction of Property.

These charges resulted from an incident, racial in content, in which two off-duty and unidentified policemen posed as rowdy civilians and provoked a fight on the morning of October 24th.

I think this was unfair and that serious violations of civil rights were committed.

Sincerely yours,

*Caryl Lynn*

(Miss) Caryl Lynn

NOV 18 1964



SOCIALIST WORKERS PARTY  
MICHIGAN HEADQUARTERS  
3737 WOODWARD  
DETROIT 1, MICHIGAN

NOVEMBER 12, 1964

Dear Friend,

I would like to bring to your attention the details of charges currently being pressed by the Wayne County Prosecutor's office against five supporters of the 1964 Socialist Workers Party election campaign. The five were picked up by the police in front of our campaign headquarters on the morning of Saturday, October 24.

On Thursday, November 5, Mrs. Dorothea Breitman, an office worker, Daniel Rosenshine, 20, a Wayne State University student, and Edward D'Angelo, 17, a student at Macomb Community College, were bound over for trial on charges of interference with police officers in the performance of their duties. These defendants face a possible one-to-two years if convicted. Their court date has not yet been set.

Robert Higgins, a 17 year-old high school student, and Richard David, an auto worker who was the Socialist Workers Party candidate for the 13th District Congressional seat at the time of the arrests, are being charged with assault and battery. In addition, David is being charged with malicious destruction of property. The assault and battery and malicious destruction charges carry a possible 90 day sentence. Higgin's and David's trial date is set for December 8.

All of these charges resulted from an incident in which two off-duty and unidentified policemen used racial epithets in relation to Mrs. Breitman and Mr. David. Both Richard David and Robert Higgins are Negroes. The fact that Dorothea Breitman is white and was in their company was cause enough for officers Peterson and Meholic of the 1st precinct, posing as rowdy civilians, to provoke a fight.

The defendants Rosenshine and D'Angelo arrived upon the scene as the first three defendants, co-workers and personal friends of theirs, were being placed under arrest. These two young men were arrested for merely inquiring of the police information on the situation at hand.

The legal defense is being conducted by Attorneys Milton R. Henry and O. Lee Molette. Henry was the Freedom Now Party candidate for U.S. Congress in the First Congressional District and has handled many cases of this kind in the past. Molette is 2nd Vice President and General Counsel of the Group on Advanced Leadership (GOAL).

Formal complaints have been filed by the defendants with the Michigan Civil Rights Commission, the Detroit Commission on Community Relations and Police Commissioner Girardin's office. Each of these offices has taken the case under investigation.

Ernest Mazey, executive secretary of the American Civil Liberties Union, has sent letters on behalf of the ACLU to each of the above mentioned agencies indicating their interest in the case.



I urge you to read the enclosed release to more fully acquaint yourself with the facts of the case. I am sure that you will agree that the defendants are unjustly charged and that very serious violations of their civil rights were committed by the police.

An energetic and broad defense against incidents of this kind is what is needed to combat police brutality and infringements of civil liberties. There is an old socialist and civil libertarian slogan that says, "An injury to one is an injury to all." We think that this should apply in every incident of police brutality and racial or political harrassment.

1. Send letters or telegrams to Police Commissioner Girardin and Prosecutor Olsen, both at 1300 Beaubien, urging that the prosecution be called off.

2. Send letters to the Michigan Civil Rights Commission, 900 Cadillac Square, the Detroit Commission of Community Relations, 735 Randolph, and the Bureau of Community Relations of the Police Department, 1300 Beaubien, indicating a concern about the civil rights and civil liberties questions in the case.

3. Put the organization to which you belong on the record as protesting this type of behavior by the police and the willingness of the prosecutor to back it up. Have these organizations communicate their feelings about this case to all of the above mentioned offices and agencies.

Please notify us of any action you may take in our defense. We will be glad to discuss the case with anyone who will visit or call us. Thank you for your consideration.

Sincerely,

Robert Himmel  
Wayne County Chairman  
Socialist Workers Party



CANDIDATE IN 13TH  
FIGHTS POLICEMEN

Charges of improper police procedures, the physical abuse of a candidate for public office and unprovoked verbal abuse of a woman have been lodged with the Michigan Civil Rights Commission, the Detroit Commission on Community Relations and Police Commissioner Girardin's office.

Filed in behalf of Richard T. David, Socialist Workers Party candidate for the U.S. House of Representatives from the 13th District, and five of his campaign workers, the charges are being investigated by detectives from the Detroit police department Bureau of Community Relations, and Rep. Charles C. Diggs.

The American Civil Liberties Union has also sent communiques in behalf of David.

According to David, on Saturday, Oct. 24, he and supporter Dorothea Breitman, were sitting in a car in front of the Socialist Workers party headquarters at 3737 Woodward waiting for Robert Higgins, another worker, to come out of the building.

At that time, says David, "two white men passed the car, calling Mrs. Breitman a 'nigger lover'".

David jumped out of the car, and a scuffle ensued. David maintains he had no idea that the men were police officers.

Mrs. Breitman tried to stop the fight and was knocked to the ground, at which time Higgins came out of the building, saw the two men fighting with the candidate and went to intercede. As Higgins pulled one of the men off David, the man flashed his police badge - the first time according to defendants that any identification was shown.

By this time uniformed officers arrived. They subdued David, and he says that as they put handcuffs on him, they struck him in the face with a flashlight and choked him so badly he required hospitalization and was unable to swallow for several days.

Higgins, David, and Mrs. Breitman were placed under arrest.

Two other young socialists, Daniel Rosenshine and Edward D'Angelo, approached the police officers and, according to Rosenshine, he "merely inquired of the officers whether Higgins, David, and Mrs. Breitman were under arrest.

"One of the officers answered with very strong language indicating I should mind my business and had no right to ask such a question," says Rosenshine. "I then, in a moderate tone asked for the officer's badge number so I would be able to follow up properly at the police station.

"I was immediately placed under arrest. So was Edward D'Angelo, who was standing by my side and had not said a word."

The men are charged with interfering with an officer in the performance of his duty.

A sixth Socialist, James Griffin, was also arrested on charges of interfering with an officer. He maintains he was standing on the sidewalk watching the incident when he was spotted by a policeman who had once picked him up for passing out campaign literature - charges that have since been dropped.

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David sent his Congressional opponent, Charles C. Diggs, a telegram requesting Diggs' intervention in the case, and Diggs said he would investigate.

Thursday, Nov. 5, Mrs. Breitman, Rosenshine, and D'Angelo were bound over for trial on charges of interference with police officers by Recorder's Judge John Gillis. They are being defended by Atty. O. Lee Molette, who is working with Atty. Milton Henry.



SOCIALIST WORKERS PARTY  
MICHIGAN HEADQUARTERS  
3737 WOODWARD  
DETROIT 1, MICHIGAN

Contact: Robert Himmel  
Phone: TE 1-6135 or TE 3-8136

FOR IMMEDIATE RELEASE

DETROIT - December 18 -- The case of two Negro Socialists, one of them a candidate for public office in the recent election, who are charged with assault and battery, is scheduled to come to trial January 20.

Richard T. David, candidate of the Socialist Workers Party for Congress in the <sup>13th</sup> District, and Robert Higgins, a 17-year-old Cass Technical High School student who is active in the Young Socialist Alliance and one of the founding members of the Freedom Now Party, face 90-day sentences if convicted. David faces an additional 90-day sentence on a charge of malicious destruction of property.

The charges stem from an incident that took place at 2:30 Saturday morning, October 24, in front of the Socialist Workers Party headquarters at 3737 Woodward. According to David, two unidentified police officers in plainclothes sparked a scuffle by using racist epithets against Mrs. Dorothea Breitman, who is white, and himself. In addition to David and Higgins, Mrs. Breitman and three Young Socialists were arrested and charged with interfering with an officer, although the Prosecutor's office has since dropped charges against one of them. (For details, see reprint of Chronicle article.)

The case was further complicated when Robert Higgins was picked up by <sup>104</sup> 13th Precinct police on the afternoon of Friday, Nov. 27, on charges of "unlawfully driving away an automobile." Higgins had just emerged from the home of George and Dorothea Breitman, 1654 Virginia Park, prior to which time, he said, he had been helping George Breitman with his shopping.

Higgins was picked up a few blocks away and held until the following morning when he was released on \$500 bond. He was told by police that he had been "positively identified" as the driver of the stolen car.

(more)



Higgins was questioned about his political beliefs until he told police he would not talk until he consulted with his lawyer. (See Robert Higgins' statement, enclosed.)

"I face up to 5 years in prison on the charge of 'unlawfully driving away an automobile,'" said Higgins. "I have never driven a stolen car and I am not guilty of this charge."

Two Young Socialists, Daniel Rosenshine and Edward D'Angelo, and Mrs. Breitman were bound over for trial November 5 on charges of interfering with an officer on October 24. No date has been set for their trial.

Higgins and David were originally scheduled to come to trial on the assault-and-battery charges on November 10. At this time defense attorney O. Lee Mollette moved to consolidate the trials of all the defendants in the Oct. 24 incident and asked for postponement. (The motion to consolidate has since been rejected.)

Mollette, general counsel and 2nd vice-president of the Group on Advanced Leadership (GOAL), a militant civil rights group, is collaborating with Att. Milton R. Henry in the defense.

Formal complaints and requests for an investigation into the conduct of the police in this case have been filed by the defendants with the Michigan Civil Rights Commission, the Detroit Commission on Community Relations, and Police Commissioner Girardin's office. On Oct. 28 David sent Congressman Charles C. Diggs, Jr., his congressional opponent, a telegram requesting intervention in the case. Rep. Diggs replied in a telegram dated Oct. 29: "Please notify me where and with whom you have filed complaint and I will investigate."

Ernest Mazey, executive secretary of the American Civil Liberties Union, has sent letters on behalf of that organization to each of the abovementioned agencies, indicating an interest in the case.

STATEMENT OF ROBERT C. HIGGINS  
NOVEMBER 28, 1964

At about 1:20 P.M. on Friday, November 27, I left the house of George and Dorothy Breitman, 1654 Virginia Park. Previous to this time I had been helping George Breitman with his shopping since he suffers from arthritis.

I walked west on Virginia Park toward my own house on Linwood near Whitney. On the way I stopped briefly to talk with a friend who was on the porch of his house on Virginia Park between 14th and LaSalle.

As I continued west on Virginia Park a police car pulled up along side. The officers asked me where I was coming from. I told them that I had just left my friend's house. I was then asked my age. I told them I am 17. Then I was asked if I had ever been arrested. I explained that I am out on personal bond in connection with an incident that occurred on October 24, involving a Congressional candidate of the Socialist Workers Party.

They took me into the police car and asked for identification. Then they said I would have to go with them to the station. I was driven at that point to the corner of Linwood and Lamothe. I saw a 1959 white Chevrolet smashed into a tree. There was another police car at the scene.

The policemen who had me in custody asked the other two officers if I was the one they were looking for. They glanced into the car and said "that's him. He's the one that was driving." I was then taken to the 10th Precinct station.

At the 10th Precinct I was told that I had been identified as the driver of a stolen car. I was then asked what I had been arrested for previously. I told them it was for assaulting an officer. One officer asked me why I had hit a policeman. I told him that I had not hit any policeman and that I didn't want to discuss it any further.

One of the arresting officers told the desk sargeant that I was involved in "some business about socialism." I was allowed to make a phone call and called George Breitman to tell him what happened. Then I was asked to sign something. When I began to read it I was told that it was routine information about where and when I had been picked up. I was not permitted to read it and therefore refused to sign. This was about 2:00 P.M.

Around an hour later I was interviewed by a Lieutenant. He told me I had been "positively identified" by two officers as the driver of a stolen car. He examined my wallet and found a membership card in the Young Socialist Alliance and an old ticket for a meeting where Malcolm X had spoken. He asked me my religion. I told him that I am an atheist. He then asked me if I was a Muslim or believed in the religion of Malcolm X. I repeated that I am an atheist.

Then I was <sup>asked</sup> about my grades in school and what I did with myself when I was not in school. I told him I was active in an organization, the Young Socialist Alliance.



About 5:00 P.M. I was told that I would have to go downtown. I was taken to 1300 Beaubien around an hour later. There I was fingerprinted and photographed and put into a cell. I was awakened several times during the night by people who kept asking my name and age.

The following morning I was interviewed by Detective Booth of the Auto Squad. He asked me a number of questions about whether or not I thought I was intelligent. He said that young people were often "idealistic." He told me that he was formerly a school teacher where I go to school.

Then he asked me if I believed in Capitalism. I replied that I believe that's what exists here. Booth then said that the U.S. is not a "true democracy." He said that what we have here is more like socialism. I replied that this was not my opinion. He continued to try to discuss my political views but I told him that I didn't want to discuss any further until I had seen my lawyer.

He told me "your attorney can't help you. Only I can - and I think you are guilty. You face five years in jail." He told me that if he wanted to he could also charge me with "possession of a stolen vehicle" which would carry a ten year sentence.

After this interview I was taken to court and released on \$500 bond. I must return on Monday, November 30 for arraignment at 2:00 P.M.

I face up to 5 years in prison on the charge of "Unlawfully Driving Away an Automobile." I have never driven a stolen car and I am not guilty of this charge.

/s/ Robert C. Higgins