

RIOTS, CIVIL AND CRIMINAL DISORDERS

FRIDAY, MARCH 22, 1968

U.S. SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10:10 a.m., in room 3302, New Senate Office Building, pursuant to Senate Resolution 216, agreed to March 15, 1968, Senator John L. McClellan (chairman of the subcommittee) presiding.

Members of the subcommittee present: Senator John L. McClellan, Democrat, of Arkansas; Senator Karl E. Mundt, Republican, of South Dakota; and Senator Carl T. Curtis, Republican, of Nebraska.

Also present: Donald F. O'Donnell, chief counsel; Philip W. Morgan, chief counsel to the minority; Alphonse F. Calabrese, investigator; Jack Balaban, investigator; Robert Beatson, investigator; Frank Wilson, investigator; Laverne Anderson, investigator, on loan from the Treasury Department; and Ruth Y. Watt, chief clerk.

The CHAIRMAN. The subcommittee will come to order.

(Members of the subcommittee present at time of convening: Senators McClellan and Mundt.)

The CHAIRMAN. Counsel, call the next witness.

Mr. O'DONNELL. Lt. William McCoy.

The CHAIRMAN. Come forward, please.

Be sworn, please, sir.

You do solemnly swear the evidence you shall give before this Senate subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Lieutenant McCoy. I do.

TESTIMONY OF DETECTIVE LT. WILLIAM R. MCCOY

The CHAIRMAN. Will you identify yourself for the record, please, Lieutenant?

Lieutenant McCoy. My name is William R. McCoy. I am a detective lieutenant with the Detroit Police Department, and I am here testifying at the invitation of the subcommittee. I have been a police officer for 19 years.

The CHAIRMAN. You have been with the Detroit police force all that time?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Were you on duty during the time of the riots last year?

Lieutenant McCoy. Yes, Mr. Chairman; I was.

The CHAIRMAN. Very well.

I see you have a prepared statement. It seems quite lengthy. Would you prefer to read all of it?

Counsel advises your testimony is very important to this hearing. It goes into some detail. It may be well to let you make your presentation by reading your statement in full, if you would like to do that.

Lieutenant McCoy. Mr. Chairman, I would appreciate the opportunity to read my statement.

The CHAIRMAN. Very well, you may proceed.

Who accompanies you?

I am informed that gentleman is a member of our staff.

Lieutenant McCoy. As I said, I have been a Detroit police officer for 19 years. At the present time, I am assigned to the special investigation bureau, and I am in charge of the demonstration detail. The demonstration detail is charged with the investigation and prosecution of arrests arising out of public protest demonstrations and civil disobedience.

At this time, I wish to submit to the subcommittee as an exhibit a summary of the arrests that arose out of the Kercheval incident of August 1966.

The CHAIRMAN. That will be received and made an exhibit for reference, exhibit 75.

(Summary referred to was marked "Exhibit No. 75" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. The Kercheval incident started at 8:25 p.m. on August 9, 1966, when the fifth precinct cruiser—a four-man patrol car—observed seven men grouped in front of 9626 Kercheval. These seven men were impeding pedestrian traffic. The cruiser was in the vicinity in response to previous complaints of loitering.

The CHAIRMAN. In other words, these men had been obstructing traffic?

Lieutenant McCoy. Pedestrian traffic; yes, sir.

The CHAIRMAN. And there had been a complaint and the cruiser went there in response to the complaint?

Lieutenant McCoy. Yes, Mr. Chairman; that is correct.

The officers informed the seven men that they were blocking the sidewalk and instructed them to move on. Four of the men complied with the police officers' command. The three remaining refused to move. The officers again told the three to move on. The officers then asked the three for identification in preparation of writing loitering ordinance violations. The three began to yell, "This is our neighborhood and we won't be moved. Whitey is going to kill us."

A crowd began to gather, and the fifth precinct cruiser asked for assistance over the police radio.

The CHAIRMAN. As I understand, they started yelling "Whitey is going to kill us" when they hadn't been asked anything but to move on and stop obstructing pedestrian traffic.

Lieutenant McCoy. That is correct.

Two units of the tactical mobile unit (TMU) responded to the scene. The officers of the TMU attempted to place the three defendants in the police vehicles. At this time one of the defendants began shouting, "This is it; it's started, help us, Whitey is going to kill us; don't stand there and let them do this to us—help us!" A struggle ensued, and one of the officers sustained a laceration to his right thumb and another received lacerations to the right arm and chest and right knee.

The CHAIRMAN. All of this started with a simple incident of their blocking traffic, with the officers going in there to try to preserve the peace and preserve the rights of all citizens to free access on the sidewalk?

Lieutenant McCoy. That is correct, Mr. Chairman.

The CHAIRMAN. All right.

Lieutenant McCoy. The three defendants were arrested and taken to the fifth precinct. A warrant was issued against the three defendants for: first count, conspiracy to riot; second count, resisting and obstructing a police officer in the performance of his duty. At the present time, this court case is still pending. Two of the defendants were known members of the Afro-American Youth Movement (AAYM), 9211 Kercheval Street, Detroit, Mich.

The CHAIRMAN. How long has it been since that arrest was made?

Lieutenant McCoy. This was made August 9, 1966. It would be approximately 11½ years.

The CHAIRMAN. A little more than 18 months?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. And they haven't been able to get them to trial on these charges. They are misdemeanor charges, are they?

Lieutenant McCoy. No, sir; these are felony charges.

The CHAIRMAN. Is resisting an officer a felony charge?

Lieutenant McCoy. This is a high misdemeanor.

The CHAIRMAN. Does it carry a penitentiary sentence?

Lieutenant McCoy. It carries up to 1 year. It is not a penitentiary sentence. It is what we call a high misdemeanor. We handle it in the same manner as we handle felonies.

The CHAIRMAN. It is a crime between a misdemeanor and a felony.

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. It is what they recognize in some States as a high misdemeanor.

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. You haven't been able to get them to trial. Why not?

Lieutenant McCoy. I don't know, sir.

The CHAIRMAN. Who is responsible for not bringing them to trial? Is it the prosecuting attorney? What do you call him out there? Is it the State's attorney?

Lieutenant McCoy. This is a procedure of recorder's court. I can't answer for this organization. I do not know why these people have not gone to trial. They do avail themselves of every source of having a trial postponed or adjourned from time to time. I am not an attorney.

The CHAIRMAN. I suppose they are free on bond.

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. They are out where they are free and permitted, I assume, to continue their efforts at inciting the people to resist law and order, create disturbances.

Lieutenant McCoy. I have no evidence that they have committed any of these crimes since this arrest, sir.

The CHAIRMAN. They are free to agitate. In other words, these things don't just happen. Here is an incident where the officers were undertaking to perform a simple duty of preventing the obstruction of the sidewalk, and as a result of their undertaking to do that, an incident occurs where people undertake to incite others to riot, where

they assault the officers, resist arrest. It goes on for 18 months without any prosecution actually occurring.

It is no wonder that there are people out on the streets who are inclined that way, who are inclined to violate the law, or manifest their disrespect for law and order and for law enforcement officials. They see they get by with it.

In other words, there is a lack of deterrence to crime by effective, firm and adequate law enforcement. That is what it demonstrates to me, whether in your community or mine. People will not respect authority if they can flout it and get away with it.

Here is a flagrant demonstration of where it has happened in the city of Detroit with respect to the first riot in 1966. That is as it appears to me. There may be an explanation for it.

Proceed.

Lieutenant McCoy. One of the defendants in the above case was also charged with felonious assault. He cut one of the police officers on the upper right arm and chest with a pocket knife.

The CHAIRMAN. Has he been tried for that?

Lieutenant McCoy. Yes, he has, Mr. Chairman.

On May 29, 1967, this defendant pled guilty to carrying a dangerous weapon with unlawful intent and was sentenced to 1 year probation, \$100 court costs and restitution to be determined by the court.

The CHAIRMAN. What does that mean?

Lieutenant McCoy. Restitution? To restore to the injured party the expenses or loss he may have suffered.

The CHAIRMAN. Was that ever done?

Lieutenant McCoy. I imagine it has been, sir. I don't know.

Senator MUNDT. Is it customary in Detroit, when a hoodlum or a criminal attacks an officer, that they give him a suspended sentence? Is that par for the course in Detroit?

Lieutenant McCoy. This would be hard for me to answer, sir. Each case has to be based on its own merits. This would happen in certain cases and in other cases they would be sentenced to jail.

Senator MUNDT. I am curious. In many parts of the country, maybe not because officers are so fierce or because they are so good, but you have to have respect for them.

It seems to me that the law breaks down pretty fast if an officer wouldn't have a little bit of protection from his uniform, by his position, by his badge, by his identification card.

Since we have already seen that there has been a very lax application of penalties in the great crimewave that developed during the riot of 1967, I think this forms kind of an interesting chain of events.

In the minor riot of 1966, even when it brought about attacks upon officers, the attackers were simply brought in, they were scolded a little bit, then were let out on probation. I don't see how you will ever have law enforcement in Detroit on that basis.

To be perfectly honest, I think when the police commissioner testified yesterday that he was sitting on an armed camp, the various belligerents in the camp don't have much to fear about being arrested because even if they get arrested they don't get convicted. Out of 4,260 persons arrested in the great riot of 1967, only four of them have really gone

to jail for a year or more. In the preceding riot, those who attacked the officers got off on probation.

You are one of the officers. Looking at it from the outside, in trying to maintain law and order, this seems to be a classical example of how not to do it.

The CHAIRMAN. That is one explanation of why it is difficult to recruit policemen. What is the incentive to go out and risk their lives to try to protect people in the community? When they get a person arrested and sometimes convicted, he is treated as if he is a poor little innocent thing who accidentally got into trouble, who has to be coddled; you are going to rehabilitate him and turn him loose. The other fellow sitting out there wanting to do the same thing can say, "See, I can get by with it, too."

You will never get law enforcement in this country with that sort of treatment of these criminals, in my judgment.

Proceed.

Lieutenant McCoy. At 10:30 p.m., August 9, 1966, members of the Detroit Police Department began a surveillance in the vicinity of 9211 Kercheval, the headquarters of the Afro-American Youth Movement, which is in the immediate area of the disturbance.

I have a picture of that location.

The CHAIRMAN. The picture will be received and marked as an exhibit.

Do you have a number of pictures?

Lieutenant McCoy. I have a series of pictures.

The CHAIRMAN. This may be received and marked as exhibit No. 76.

(Picture referred to was marked "Exhibit No. 76" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. At 1:35 a.m., August 10, 1966, information was received by the Detroit Police Department from a reliable source that General Gordon Baker, Jr., and several other Negro males were in possession of guns in a maroon foreign-make car.

At 1:40 a.m. on August 10, 1966, the surveilling officers observed General Gordon Baker, Jr., and several other men exit 9211 Kercheval and enter several vehicles.

The CHAIRMAN. What kind of a general is he?

Lieutenant McCoy. That is his first name, sir.

The CHAIRMAN. It is no title?

Lieutenant McCoy. No, sir. These four cars were:

1. 1960 red Mercedes.
2. 1960 black Plymouth.
3. 1964 blue Datsun.
4. 1962 red Dodge Dart.

The men were carrying what appeared to be laundry bags and other articles concealed under their arms.

The four vehicles were followed from the area by the surveilling officers.

At 1:55 a.m. the officers stopped vehicle No. 4—the 1962 Dodge Dart—at Van Dyke, south of Gratiot. This vehicle was occupied by two Negro males and contained two large white laundry bags containing dirty laundry. The vehicle and subjects were released at the scene.

At 2 a.m., the surveilling officers stopped vehicle No. 1—the red Mercedes—and vehicle No. 2 at West Chicago and the John C. Lodge Expressway.

Vehicle No. 1 was occupied by Glanton Dowdell—the driver—and General Gordon Baker, Jr. When the officers stopped the vehicle, they observed an automatic pistol and rifles on the front seat and floor.

I have a picture, Mr. Chairman, of the firearms and weapons that were confiscated from the car.

The CHAIRMAN. That is from this particular vehicle you are talking about?

Lieutenant McCoy. The red Mercedes; yes, sir.

The CHAIRMAN. The picture will be received and marked as an exhibit.

(Picture referred to was marked "Exhibit No. 76A" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. Do you identify the arms discovered in the car and confiscated?

Lieutenant McCoy. Yes, sir.

Confiscated from the vehicle were:

One .30 caliber carbine (serial No. 305744).

One .45 caliber Colt automatic pistol (containing one live round in the chamber and six live rounds in the clip).

One hunting knife (4½-inch blade, in case).

One green zipper bag containing 215 spent carbine cartridges and 10 live carbine cartridges.

Five loaded cartridge cases.

Eighteen cartridge clips.

Nine cherry bombs.

One plaid plastic bag containing miscellaneous gun cleaning equipment.

One .30 caliber carbine loaded with a clip containing 15 live rounds of ammunition.

Baker and Dowdell were charged with carrying a dangerous weapon in a motor vehicle. On March 6, 1967, both were found guilty and sentenced to 5 years' probation and \$500 court costs.

The CHAIRMAN. They were put on probation, too?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. That is a suspended sentence.

Lieutenant McCoy. They were put on probation.

The CHAIRMAN. Isn't that a suspended sentence during good behavior? Isn't that what it means?

Lieutenant McCoy. No, sir.

The CHAIRMAN. What is it?

Lieutenant McCoy. When you are put on probation, you have to report your actions to a probation officer periodically.

The CHAIRMAN. No sentence was passed at all?

Lieutenant McCoy. They were not put in jail.

The CHAIRMAN. Was any sentence imposed on them and suspended?

Lieutenant McCoy. As I say, it is a sentence to be put on probation and to be fined.

The CHAIRMAN. Without giving any sentence at all after they are convicted, the court puts them on probation and passes no sentence, but requires them to report at intervals to the probation officer: is that right?

Lieutenant McCoy. Yes, sir.

Senator MUNDT. What is the penalty for breaking probation?

Lieutenant McCoy. You reappear before the judge and he may send you to prison for violation of probation.

Senator MUNDT. Or he might just give you a longer probation.

Lieutenant McCoy. Correct.

Senator MUNDT. Anyhow, this was March 1967. When was the big riot in 1967?

Lieutenant McCoy. It started on July 23.

Senator MUNDT. Did either one of these characters show up at any of the lineups during the riot arrests?

Lieutenant McCoy. Yes; they did. I will get to that later on in my testimony.

Senator MUNDT. This sort of confirms what the chairman and I have been trying to say about Detroit for some time. Here is an instant case, Mr. Chairman, of two fellows being picked up in possession of an arsenal, driving around Detroit. They had enough there for a small invasion of Vietnam, as far as weaponry is concerned.

They caged them. Detroit had a riot in 1966, with all kinds of rumors of another one and with the city taking on the aspects of an armed camp. Here a fellow goes driving through with his artillery wagon, with all of these guns, and yet at the time of sentencing the judge says, "I will put you on probation."

What happens? What any judge should know would happen. When the next riot broke out—in 1967—the next shooting, the next trouble, they were in it and the police picked them up again.

What happened the second time they picked them up? Were they the four fellows out of 4,000 arrested who went to jail for a year? Or were they out on probation again, with a suspended sentence, or were they one of the many cases where the court said, "All right, fellows, it took us 4 or 5 days to get around to you, so you are now turned loose."

Lieutenant McCoy. These men were charged with violation of the Governor's proclamation, the violation of curfew, and on August 3, if my memory serves me correctly, they were found not guilty.

Senator MUNDT. They are still on the loose?

Lieutenant McCoy. Yes, sir.

Senator MUNDT. You will find them again in 1968, I guarantee you, if the superintendent of police and the police commissioner, who said that they expect trouble in 1968, are correct. Look for the general and the others. You will probably pick them up.

This time give them a \$10 fine and 2 weeks in jail. You wonder why trouble breaks out. In a similar city, Philadelphia, we were told trouble didn't occur because law enforcement officers hit them hard when they caught them in the preliminary acts. But when you coddle criminals and when judges don't pass sentences that are really punishment, you can't come running to the Federal Government and say, "Please help us control order. Send the Army out." You have to try a little bit at home.

The CHAIRMAN. Proceed.

Lieutenant McCoy. Vehicle No. 2—the 1960 black Plymouth coach—was occupied by one Negro male and contained:

One 6-millimeter rifle with one live round of 6-millimeter ammunition; 18 live rounds of 6-millimeter ammunition; one hatchet; one claw hammer; seven common red bricks; two screwdrivers, and one jacket.

That is a picture of the second group.

(Picture referred to was marked "Exhibit No. 76B" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. There you found one rifle, 18 live rounds of ammunition, one hatchet, one claw hammer, seven common red bricks, two screwdrivers and one jacket.

Proceed.

Lieutenant McCoy. A warrant was secured on this person for carrying a dangerous weapon in a motor vehicle. On March 9, 1967, the defendant was found not guilty.

The CHAIRMAN. How was he found not guilty?

Lieutenant McCoy. There are certain technicalities.

The CHAIRMAN. What was the technicality you turned him loose on after you caught him redhanded?

Lieutenant McCoy. As I indicated, this information was received on a tip which named Gordon Baker. For some reason or another, when the trial was held, on a technicality he was found not guilty.

The CHAIRMAN. The tip did not identify that he was going to be the one in the car with the weapons. Because your tip didn't identify him, when you stopped the car and found the weapons with a different man driving, he was set free, because the tip had misinformation about it.

That is the kind of technicality we are confronted with today in trying to enforce the laws in this country. The man who had the gun, I assume, could use it just as well as the man whose name was given in the tip. Yet with the strange construction of the Constitution today, they have to turn the poor criminal loose. He has been mistreated. His civil rights were violated because you found him with a gun on a tip that was intended to get somebody else and he goes free.

Is that about the substance of it?

Lieutenant McCoy. Yes, sir. It was illegal search and seizure.

The CHAIRMAN. Illegal search and seizure because you had the name of the wrong man. He goes free.

Very well. Proceed.

Lieutenant McCoy. Vehicle No. 3—the blue Datsun—was apprehended at 12th and Euclid and was occupied by one Negro male. Found concealed under the carpet between the front seats of this vehicle was an 18-inch bayonet in a sheath. Found on the occupant was a 3-inch bladed pocketknife. Also found in the vehicle was a rubber-headed mallet and a hatchet.

I have a picture of this, too.

The CHAIRMAN. These are the weapons you found in it?

Lieutenant McCoy. The bottom picture; yes, sir.

The CHAIRMAN. It may be made exhibit 76C.

(Picture referred to was marked "Exhibit No. 76C" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. The other picture is a composite of all the weapons found in the three cars.

The CHAIRMAN. That picture may be made an exhibit.

(Picture referred to was marked "Exhibit No. 76D" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. In the other car you found nothing but dirty laundry?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. On three out of four you clicked.

Lieutenant McCoy. We found weapons in three out of the four cars: yes, sir.

The CHAIRMAN. Of the occupants of those three cars, how many were convicted and punished?

Lieutenant McCoy. Two people were convicted.

The CHAIRMAN. Who was punished?

Lieutenant McCoy. I feel it is a punishment if I have to pay out \$500 from my pocket.

The CHAIRMAN. They were punished to the extent of \$500 that they paid?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. But no imprisonment?

Lieutenant McCoy. No imprisonment; no, sir.

The CHAIRMAN. Very well. Proceed.

Lieutenant McCoy. The occupant of this last vehicle was charged with carrying a concealed weapon and on March 7, 1967, he was found not guilty.

The CHAIRMAN. Why was he found not guilty?

Lieutenant McCoy. This was not his car that he was driving. He claimed that he had no knowledge of these weapons being in the car.

The CHAIRMAN. Did you find out whose car it was?

Lieutenant McCoy. Yes, sir. It was one of the other people arrested.

The CHAIRMAN. You did get one of the other people. So somebody was convicted to the extent of \$500 for the weapons in this car?

Lieutenant McCoy. He was not in possession of the weapons, so we couldn't charge him with possession of dangerous weapons.

The CHAIRMAN. But they were in the car, though?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. You couldn't charge him because you couldn't prove he put them in his own car?

Lieutenant McCoy. That is right: yes, sir.

The CHAIRMAN. Notwithstanding that the law was violated, or everybody escaped punishment.

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Proceed.

Lieutenant McCoy. At 8:50 p.m. on August 11, 1966, surveilling officers of the Detroit Police Department observed 10 or 12 Negro males standing on the street in front of 9916 Kercheval. These men were shouting at passing motorists. The officers observed one of the men give to a juvenile what appeared to be a Molotov cocktail. This juvenile and another then stood in the doorway of 9916 Kercheval. As a marked police car drove by, the juveniles placed the bottle inside the door on a stairway. The two juveniles were taken into custody and a pint whisky bottle with a wick in it was confiscated. This bottle was filled with fuel oil.

As the juveniles were placed into the police car, the person who handed the Molotov cocktail to the juvenile and another Negro male began to arouse the bystanders by shouting obscenities at the officers and, "You can't take that man in; police brutality." The bystanders, led by the two men, began to advance toward the police officers. The two were then placed under arrest.

The two juveniles made a statement that they were part of the group, and that the group was drinking. One of the men arrested handed one of the juveniles a bottle that he believed to be a Molotov cocktail and said, "Hold this until I finish my wine. Then I'm going to firebomb the liquor store." The liquor store is located on Kercheval between Pennsylvania and Parkview.

The two adults were charged with inciting a riot. At the trial conducted on January 16 and January 17, 1968, the juveniles were not allowed to testify.

The CHAIRMAN. Why?

Lieutenant McCoy. This was on advice of their counsel, who felt they would be implicating themselves if they testified.

The CHAIRMAN. How old are they?

Lieutenant McCoy. I believe 15 and 16.

The CHAIRMAN. Then what?

Lieutenant McCoy. The two defendants were found not guilty.

The CHAIRMAN. Did others witness what you have testified to here? Did police officers witness what you have testified to?

Lieutenant McCoy. They witnessed what I have testified to here, but the cases were based much on the formal statements that were received from the two juveniles.

The CHAIRMAN. You can certainly offer additional proof at a trial. Suppose you discovered two or three more witnesses who saw it? Can't you offer their testimony at the trial?

Lieutenant McCoy. The officers were allowed to testify, of course, as to what they saw at the time.

As I indicated, they were found not guilty.

The CHAIRMAN. Was this a jury trial or was it tried before a judge?

Lieutenant McCoy. It was tried before a judge, I believe. I was not present and I can't state it for a fact.

I believe it was tried by a judge and not a jury.

The CHAIRMAN. Proceed.

Lieutenant McCoy. On August 13, 1966, a warrant was secured by the officers of the special investigation bureau charging four men with inciting to riot. This warrant was issued because of the following actions, which were described in the formal statements of the two juveniles:

In October 1965, at a meeting conducted at 9211 Kercheval, the headquarters of the Afro-American Youth Movement and the Adult Community Movement for Equality, one of those charged in the warrant, in a speech to the 15 to 20 people present, said, "Don't let the white brothers take over the community. If you don't act now, we won't have any rights. Get black clothes and guns, and fight the police. They are our enemies."

On August 9, 1966, at 7 p.m.—approximately 1½ hours before the initial incident that perpetrated the Kercheval outbreak—at 9211

Kercheval, the same person who made the speech of October 1965 told the group, "We've got to get our rights, and we are going to get them, even if we have to break car and store windows." One of the other four charged in the warrant for inciting to riot then stood on a table and said, "Brothers go home and get your guns and bring them back here. We'll throw rocks to break the windows and when the police arrive, we'll shoot them."

On August 10, 1966, at 9211 Kercheval, one of those charged in the warrant told two juveniles, "I'm going to show you how to blow up the white man's cars." He displayed a 6-foot piece of rope and said, "Dip one end in the gas tank until you get it wet, pull it out and insert the other end, light the rope, then run. Make sure you get a white man's car."

Later that evening, the two juveniles were approached at Kercheval and Garland by one of the four charged in the riot, who told the boys to go out and buy 50 cents' worth of gasoline to burn the police with. The boys refused and left the scene.

On August 11, 1966, the two juveniles were approached by the man who gave the rope demonstration. He told the boys to get 2 gallons of gasoline and pour it into the street along the curbs. A disturbance was then to be started and when the police formations marched in to quell the disturbance, the boys were to ignite the gasoline in order to burn the police. The boys refused to comply with this request.

Later in the evening of August 11, 1966, the two juveniles met two of the men charged in the warrant. One of the men gave one of the juveniles a Molotov cocktail that was to be used to burn down a liquor store on nearby Kercheval. The police arrested the four for preparation to burn. The two juveniles stated they saw one of the two men firebomb the drugstore at 9368 Kercheval, and saw both men stoning cars and breaking store windows in the area during the disturbance.

On August 26, 1966, an examination was conducted in recorder's court on the above warrant. At this time the charges against two of the men were dismissed. The case against the other two men is still pending.

The CHAIRMAN. When they go out there and violate the law, commit violence, make plans to burn and injure the police, destroy property, it is hard to get them convicted in Detroit, isn't it?

Lieutenant McCoy. Yes, it is.

The CHAIRMAN. It is very hard.

Lieutenant McCoy. Yes, sir; it is very hard.

The CHAIRMAN. It seems to me far more escape any penalty than are even fined. That seems to be the extent of any punishment that has been inflicted so far.

You may have others in your testimony, but so far the extent of the punishment has been a fine, and even more escape than were punished to that extent.

Senator MUNDT. Are there any extenuating circumstances that you can think of why charges would be dismissed against people who tried to teach juveniles to run a stream of gasoline down a curb and inflame a tremendous part of the neighborhood or do bodily injury to people? This is pretty serious business.

What is a recorder's court?

Lieutenant McCoy. It is a court of record in the city of Detroit that handles court cases that emanate from crimes that do occur within the city limits.

Senator MUNDT. Do they have a judge?

Lieutenant McCoy. Yes, sir; they do have judges.

Senator MUNDT. Is that judge elected or is he a political appointee? How does he get his job?

Lieutenant McCoy. The judges are elected.

Senator MUNDT. They are elected?

Lieutenant McCoy. Yes, sir.

Senator MUNDT. People in Detroit, then, have to assume part of this responsibility if they elect judges who dismiss cases against people engaged in that kind of activity. You have caught some of these fellows two or three times. I again repeat can you think of any extenuating circumstances as to why the charges were dismissed? Isn't it against the law to do that type of thing?

Lieutenant McCoy. It is against the law or we wouldn't have secured warrants against these people.

Senator MUNDT. Do you sometimes get a little frustrated when you arrest people and the next morning you see them in a coffee bar and you say, "Hi, fellow. How are you today?" and he says, "I am out again."

Lieutenant McCoy. I try not to let this sort of thing influence my work.

Senator MUNDT. You must be a very patient man. I have talked to the police officers in this town. The people living in the District of Columbia certainly can't look down their noses at the people in Detroit. The same thing happens here. The same people keep cropping up in the papers for committing the same crimes, and the same courts find a way to let them out.

I think the judges, and the people who appoint them, or the judges and the people who elect them, have to be high on the agenda of reasons why this crime wave is developing so fast in this country. We have to restore the conviction in the minds of the people that crime doesn't pay.

I see nothing in your testimony to indicate to me that crime doesn't pay in Detroit. I am not sure that crime doesn't pay in the city of Washington, because for whatever reason—soft-hearted, muddle-headed sentimentality, or confusing decisions by the court, or failure in the first instance of people who appoint the judges and elect them to get somebody with a little salt in their blood to protect the innocent—until society starts to protect itself against the criminal to the extent that our judicial processes are protecting the criminal against society, we have small cause to wonder about the crime wave and the riots.

Organized society has not really developed the muscle, the determination, and I doubt the intention, to protect the innocent who are not involved in crime.

If we seem critical of Detroit, it is because we are talking about Detroit. But I want to say I have watched this thing a long time in Washington. It has deteriorated from the standpoint of the capacity of the law enforcement officers—and I think we have an excellent, topnotch police force in the city of Washington. They pick the trouble-

makers up and then the courts turn them out. Then they pick them up again and then the courts turn them out.

I have talked to a lot of officers who are not as patient as you, who tell me, "This is one reason we quit our job. This is one reason we are frustrated. We risk our life and we risk our health and we don't get overpaid for the job. We feel we are not accomplishing anything for society because the arrestees have ways of getting lawyers who will defend anybody for any reason whatsoever, it seems like, and they find some technicality to get them out."

At least society, I think, should understand what is wrong.

The CHAIRMAN. You must remember that these technicalities are laid down by the highest court in the land. I think the tone of law enforcement is set at the top.

Senator MUNDT. It is a low tone at the top level.

The CHAIRMAN. It is a low tone. Thus, crime continues to thrive and the criminals to prosper. If we don't get the tone changed at the top, I don't think you can change it at the bottom very substantially.

Senator MUNDT. I think we have to get Presidents who have better tuning forks so they can determine the tone before they appoint the judges.

The CHAIRMAN. Proceed.

Lieutenant McCoy. The four actions that I described above resulted in 14 of the 49 warrants that emanated from the Kercheval incident. These 14 warrants charged 10 different persons. Two of these persons were charged on two separate warrants and one on three warrants. These 10 men were affiliated with various militant organizations and after their arrest, the disorder on Kercheval Avenue subsided.

I wish to emphasize that these arrests were not solely responsible for the cessation of the disorder but, as stated by Superintendent Nichols, the availability of police manpower and the efforts of the peace patrols did much to restore order.

The CHAIRMAN. That is where you operated expeditiously and speedily moved into the situation and moved whatever force, manpower, was necessary to quell it?

Lieutenant McCoy. We had the manpower on hand; yes, sir.

The CHAIRMAN. Proceed.

Lieutenant McCoy. The 10, and their affiliations, were:

First. Alvin Harrison, Jr.—chairman of the Adult Community Movement for Equality (ACME) and the director of its youth arm, the Afro-American Youth Movement (AA YM). These organizations were headquartered at 9211 Kercheval.

Second. Wilbert McClendon—past chairman of ACME.

Third. James Roberts—ACME.

Fourth. Clarence Reed—ACME.

Fifth. Noble Lee Smith—ACME.

Sixth. Rufus "Pee Wee" Griffin—ACME, RAM, and Fox and Wolf Hunt Club.

The CHAIRMAN. What is the Fox and Wolf Hunt Club?

Lieutenant McCoy. I will get into that in more detail, Mr. Chairman.

The CHAIRMAN. Very well.

Lieutenant McCoy. Seventh. General Gordon Baker, Jr.—ACME, UHURU, Revolutionary Action Movement, and the Fox and Wolf Hunt Club.

Eighth. Moses Wedlow—ACME.

Ninth. Thomas Abston—ACME.

Tenth. Glanton Vernier Dowdell—ACME.

Now I would like to talk about some of the groups that were active prior to and subsequent to the Kercheval incident.

The CHAIRMAN. Go right ahead.

First, I understand the purpose of going into all of this detail about Kercheval is that it is laying the foundation for the most recent rioting, because you found in this recent rioting some of the same people being leaders in it; is that correct?

Lieutenant McCoy. I would like to say that other than the two who were arrested for violation of the Governor's proclamation, we had no indication that any of the other people were involved in our 1967 riot.

The CHAIRMAN. You have no indication that they were?

Lieutenant McCoy. Yes, sir; that is correct.

The CHAIRMAN. But these organizations, or representatives of these organizations—what did you find out about them?

Lieutenant McCoy. I could not prove their involvement in the 1967 riots. If I had proof of a conspiracy here, or organizations, it would be my duty as a police officer to prosecute these people.

The CHAIRMAN. I understand, but do you identify any of them with it as leaders in it? I don't know. I haven't read the paper.

Lieutenant McCoy. No, sir.

The CHAIRMAN. Very well.

Lieutenant McCoy. In March of 1963, a small group of Negro students of Wayne State University, Detroit, Mich., formed an organization known as UHURU, which means "Freedom Now" in Swahili.

UHURU first came to the attention of the Detroit Police Department on June 29, 1963, when they picketed a Kroger Baking Co. store at 2450 West Grand Boulevard to protest the hiring practices of Krogers.

I have a handbill that they distributed at that demonstration.

The CHAIRMAN. A copy of that may be printed in the record at this point.

(The handbill referred to follows:)

The Uhuru Committee is demonstrating the displeasure of all black people in Detroit against Kroger's discriminatory hiring policies.

Detroit Negroes are excluded from all good-paying jobs and from supervisory positions—there are no black office workers, administrators, department heads nor managers in Kroger's—and this intolerable situation must cease.

C.O.R.E. (the Congress on Racial Equality) has been negotiating without success at Kroger's since September 1962, and since Kroger's has shown its arrogant and unbridled contempt for such non-action maneuvers to convince it to hire Afro-Americans, obviously some more drastic measures are called for.

Uhuru will demonstrate against Kroger's lily-white hiring policies until it has been resolutely, thoroughly, wholly and completely annihilated.

Lieutenant McCoy. On July 13, 1963, UHURU demonstrated at police headquarters, 1300 Beaubien, to protest the fatal shooting of Cynthia Scott, a prostitute who resisted arrest by knifing Patrolman Theodore Spicher who fired the fatal shot.

The CHAIRMAN. How was he knifed? Seriously?

Lieutenant McCoy. No, sir; superficially slashed with the knife.

At this demonstration, Luke Samuel Tripp, Jr., the chairman of UHURU, stated in a speech:

Negroes are becoming tired of second-class citizenship and are standing up and ready to fight for their rights.

Tripp ended his speech by saying:

If we don't get our freedom—get out the hanging tree.

I have a handbill that announced this demonstration.

The CHAIRMAN. Is this the handbill?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. A copy of it may be made an appropriate exhibit.

(The handbill referred to was marked "Exhibit No. 77" for reference and will be found in the appendix on p. 1460.)

Lieutenant McCoy. Some of the placards carried by demonstrators read:

"All Gestapo Police Belong in Hell."

"We Want Spicher's Head."

"UHURU Will Resort to Mau Mau Tactics."

"100 Years Non Violence—Too Long."

"Time Is Running Out 1863–1963."

"Put Negro Cops in Our Neighborhood."

"Give Me Liberty or Detroit Cops."

"We Want Blood."

The CHAIRMAN. Those were separate banners or placards that they carried?

Lieutenant McCoy. This is just a sampling of some of the placards that were carried by the demonstrators. There were perhaps 100.

On August 1, 1963, 15 members of UHURU staged a sit-in in the lobby of the mayor's office. They demanded to see the mayor and presented two handbills.

The CHAIRMAN. Do you identify this as a copy of the handbill?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. A copy of it may be made an appropriate exhibit.

(The handbill referred to was marked "Exhibit No. 78" for reference and will be found in the appendix on p. 1461.)

The CHAIRMAN. No. 1, it says, "Immediate disarming of all policemen."

Was that their first demand?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. How many people do you think you would get to serve as policemen out there without some protection?

Lieutenant McCoy. Not very many, Mr. Chairman.

The CHAIRMAN. That would be dismantling the police.

Wouldn't it amount to that?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN (reading). "The police department has repeatedly proven it is incapable of handling firearms intelligently."

No. 7 is "Demand immediate withdrawal of all white policemen from black neighborhoods."

Senator MUNDT. This Luke Samuel Tripp that you are talking about, is he the same Luke Samuel Tripp who made a trip to Cuba?

Lieutenant McCoy. This is the same one; yes, sir.

Senator MUNDT. There is a statement appearing in a book called "Road to Revolution," written by Mr. Phillip Abbott Luce, who had at one time joined the Communists in this country and who became entirely disenchanted as did Whittaker Chambers and many others.

He has written material for various publications showing how the Communist Party USA operates, because he was in it, and he could speak from the inside.

On page 80, under the heading of "Other RAM Members," I read the following paragraph:

Luke Tripp, a Negro from Detroit, Michigan, was among the group of young Americans that journeyed to Cuba in the summer of 1964. He is an RAM member and former member of UHURU, which is Swahili for "freedom", which is more or less synonymous with RAM and functions in Detroit. Tripp once gave an interview to a Trotskyist youth newspaper in which he outlined the essence of the then functioning UHURU. He said, that "Our orientation is Mau Mau, Maoist."

I thought that was interesting because one of the placards stated, "UHURU will resort to Mau Mau tactics."

This was picked up there, that the orientation is Mau Mau Maoist. Continuing, Luce quotes Tripp as saying:

We are strong supporters of the Chinese. If you're in doubt on any position we have, look it up in the Peking Review.

Luce then says:

This Review is the English language weekly news journal from Red China.

So many of these people, apparently, involved in the riots are just not misguided youths or innocent Americans who have been disadvantaged, but you get some pretty hardcore fellows along the line.

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Proceed.

Lieutenant McCoy. While in the lobby of the mayor's office, they sang about the freedom road and, although they were noisy, they were orderly in general.

When informed that the mayor would not meet with them at this time, Luke Tripp and another UHURU member made remarks such as:

We brought the case to the mayor politely—we will do it other ways next time. Next time there will be a thousand. This is not UHURU protesting, this is the whole Negro community.

The CHAIRMAN. Is that the same Luke Tripp you referred to?

Lieutenant McCoy. One and the same; yes, sir.

After approximately 15 minutes, they departed on signal from Luke Tripp.

UHURU sponsored street rallies to protest the killing of Cynthia Scott on August 13, August 20, August 27, and September 12, 1963.

We have copies of the handbills that were distributed prior to the street rallies.

The CHAIRMAN. Copies of three?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Are these copies that I hold in my hand?

Lieutenant McCoy. They are.

The CHAIRMAN. They may be received as exhibits and appropriately numbered.

(Documents referred to were marked "Exhibits Nos. 79, 79A, and 79B" for reference, and may be found in the appendix on pp. 1461-1463.)

The CHAIRMAN. This woman who was killed in the course of a police officer trying to make an arrest, on what charge was she being arrested?

Lieutenant McCoy. She was evidently being arrested for prostitution or investigation of prostitution.

The CHAIRMAN. I noticed you referred to her as a prostitute.

Lieutenant McCoy. She was a convicted prostitute. She had eight convictions for prostitution.

The CHAIRMAN. Prior to this?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Proceed.

Lieutenant McCoy. At the August 27 rally, which was held at Brewster and Beaubien, adjacent to the Brewster housing project, Luke Tripp stated that ADC (Aid to Dependent Children) and the police department were against all the people who lived in the Brewster project. That the project people were not given enough food stamps to feed their children. The expressways were built for suburbanites and not for colored people. The Negroes should not be satisfied to let the white man have all the money but should take up arms and take what he wants by force. The Negro should get weapons even if it's only screwdrivers and chisels, and tear down police headquarters brick by brick. He mentioned that the utility facilities that supplied water and electricity to the suburbs were located in Detroit and stated, "We should cut the supply," because of the racial policy of these communities.

On October 11, 1963, members of UHURU and other groups conducted a demonstration at an outside ceremony held by the Detroit Olympic Committee at the City County Building. The ceremony was part of an effort by the city to bring the 1968 Olympics to Detroit.

During the playing of the national anthem, and throughout the ceremony, members of UHURU booed and jeered. A warrant was issued against five members of UHURU (including Luke Tripp) charging them with creating a disturbance in a public place. On February 23, 1966, these five people were found not guilty in recorder's court.

We have several handbills. One is the UHURU version of what transpired at the Olympic ceremony and two handbills that were distributed on the campus of Wayne State University by UHURU members.

The CHAIRMAN. They may be received and marked as appropriate exhibits.

(The documents referred to were marked "Exhibits Nos. 80, 80A, and 80B" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. In an article that appeared in the Courier, a Detroit newspaper dated June 20, 1964, titled "UHURU President Sneaks Off to Cuba," Luke Tripp reportedly called for the destruction of the U.S. Government in a statement given to the Havana Press.

We have a copy of that article.

The CHAIRMAN. It may be received and marked as an exhibit.

(Document referred to was marked "Exhibit No. 81" for reference and will be found in the appendix on p. 1463.)

The CHAIRMAN. This is 1964, prior to the rioting?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN (reading).

A militant leader of the Detroit based civil rights group this week was reported among 73 students who outsmarted the United States State Department and flew to Havana for the annual tour of Fidel Castro's Cuba. Luke Tripp, Jr., of Detroit, and President of the UHURU organization, which has members at

Wayne State University and several Detroit high schools, reportedly called for the destruction of the United States Government in a statement given to the press in Havana upon his arrival from Prague, Czechoslovakia.

Further it says:

Meanwhile, Attorney Milton Henry, who served as chief trial lawyer for the UHURU group, could not be reached for comment on Tripp's trip to Paris, France, Czechoslovakia, and Cuba!

Proceed.

Lieutenant McCoy. Two active members of UHURU were General Gordon Baker, Jr., and Rufus "Pee Wee" Griffin; both were subsequently arrested during the Kercheval incident.

The UHURU group has not been active since October 11, 1963; but certain members went on to membership in other militant organizations.

Revolutionary Action Movement (RAM). The Black Liberation Front of the United States of America.

In September of 1964, a source made available a document entitled "Revolutionary Action Movement Manifesto."

We have a copy of that manifesto.

The CHAIRMAN. Very well. It may be received as an exhibit.

(Document referred to was marked "Exhibit No. 82" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. This document stated that RAM was officially organized in the winter of 1963 by Afro-Americans who favored Robert F. Williams and the concept of organized violence. This document also disclosed that RAM oriented its program to education and political revolution; a black political party which must have revolutionary objectives and not peaceful coexistence; the need for a black revolution that could and would seize power.

This document contained the RAM address at 3061 Field, Detroit, Mich. This address is the home of James and Grace Boggs.

Robert F. Williams fled to Cuba in 1961 to avoid prosecution in the State of North Carolina for the crime of kidnaping. While in Havana, Cuba, Williams published a monthly newsletter entitled "The Crusader."

We have a few copies of that here, Mr. Chairman.

Williams is reported as residing in Peking, China, at the present time.

The CHAIRMAN. Are these two copies of the Crusader to which you referred, by Robert F. Williams?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. They were published in Cuba?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. He had become a fugitive from justice on a kidnaping charge?

Lieutenant McCoy. That is correct.

The CHAIRMAN. He went to Cuba and began these publications?

Lieutenant McCoy. That is correct.

The CHAIRMAN. Do you know whether this publication has now been banned from the mails in this country?

Lieutenant McCoy. It is my understanding, Mr. Chairman, that it has been.

The CHAIRMAN. One of these publications is dated July 1964 and the other is dated October 1964, a special edition. This last one I referred to, the one of October, the special edition, carries a picture. Do you identify anybody in the picture, or whom is it supposed to represent?

Lieutenant McCoy. That person who is shaking hands with Mao Tse-tung is Robert F. Williams.

The CHAIRMAN. The colored man in the picture is Williams?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. And the man he is shaking hands with is the ruler of China; is that right, the ruler of Red China?

Lieutenant McCoy. Yes, sir.

(Documents referred to were marked "Exhibits Nos. 83 and 83A" for reference and may be found in the files of the subcommittee.)

Senator MUNDT. In connection with the RAM movement, do you have any information of a man in Detroit by the name of Charles—

Lieutenant McCoy. I am sorry; I can't hear you, Senator.

Senator MUNDT. Do you have any knowledge of a fellow in Detroit who belongs to RAM whose name is Charles "Mao" Johnson?

Lieutenant McCoy. Charles Johnson? Yes, sir.

Senator MUNDT. You know about him?

Lieutenant McCoy. I am familiar with the name; yes, sir.

Senator MUNDT. Mr. Chairman, I think it would be illuminating if we would read into the record a statement Mr. Phillip Abbott Luce makes about him. Phillip Abbott Luce, I find in reading this book, not only had been a Communist for many years but recently came out from the darkness of the Communist world and has helped American enforcement officers. He has written for some of America's most widely read and responsible magazines, such as the Saturday Evening Post, the National Review, Reader's Digest, Human Events, and others.

The CHAIRMAN. In order to keep this record straight, let this book be made an exhibit for reference. Then you may read from it.

(Book referred to was marked "Exhibit No. 84" for reference and may be found in the files of the subcommittee.)

Senator MUNDT. On page 80, it says:

RAM members have refused to serve in the armed forces. One of these is Charles Mao Johnson, also of Detroit, another member of the group that went to Cuba in 1964.

I will say, parenthetically, I am a little bit curious, Mr. Chairman—and you are a distinguished lawyer—how these people are able to do that to go to Cuba? They have to have a passport to go, but how do they get back?

Anyhow, they went, and obviously were not punished for it (continues reading):

Mr. Johnson now lives in New York City where he teaches courses on Chinese Communism at the so-called Free University. Johnson wrote as follows to his draft board:

"I will not fight in the service of such a brutal, beastly white imperialist and racist aggressor nation. But if I am snatched over my objections, I pledge my people to agitate among black soldiers to unite them around the following revolutionary principles: (1) Self-defense and vengeance; (2) all-black independent action, and (3) to fight for integration—integrated pools of blood."

He ended his letter by saying:

"The policy will be as noted by Mao Tse-tung, the brilliant leader of the Red Chinese, to give tit for tat, to wipe you out resolutely, thoroughly, wholly, com-

pletely, and utterly. There ain't no way in the world that I am going out like a fool and fight my nonwhite brothers in China, Africa, and Latin America, for white devils. I support everything you oppose and oppose everything you support."

I think it might be illuminating to the people of Detroit, the judges who are passing out these sentences, and the law enforcement community generally——

The CHAIRMAN. Did you say passing out sentences?

Senator MUNDT. Passing the opportunities to pass sentences. Anyhow, they passed.

I think the people of Detroit ought to know they have a hard-core group of Communists working in these elements. They are engaged in a satellite war, the same way as freedom is involved in Vietnam. Maybe the time has come to quit playing around like schoolboys with the criminals, the crooks, and the agitators, the hard-core Communists who are burning down their town.

They better start fighting back, or else spend a lot of extra tax money buying new fire engines, because I am afraid they will have a lot of trouble.

The CHAIRMAN. Proceed.

Lieutenant McCoy. In the latter part of 1964, a local RAM group was formed under the leadership of General Gordon Baker, Jr., and Charles Simmons III. During the summer of 1964, both Simmons and Baker traveled to Cuba in violation of the U.S. Department of State ban on such travel.

I have a copy of an article, entitled "Muhammad Speaks," September 25, 1964, from Life magazine article of February 28, 1965.

The CHAIRMAN. Is this the picture you referred to?

Lieutenant McCoy. Yes, sir. That is Mr. Baker on the left and Mr. Simmons to his left.

The CHAIRMAN. It will be received.

(Document referred to was marked "Exhibit No. 85" for reference and may be found in the files of the subcommittee.)

Senator MUNDT. You mentioned the men had gone to Cuba in violation of travel to Cuba.

They went and they came back. Were they ever punished in any way for violating that ban?

Lieutenant McCoy. I couldn't answer that. I believe the procedure is to revoke the passport.

Senator MUNDT. They don't need a passport as far as Cuba is concerned. As far as you know, Uncle Sam in protecting itself against communism in Cuba doesn't show quite the diligence it does in sending 600,000 boys to Vietnam. These people will go there and come back and breed internal wars in Detroit and elsewhere, a "Saigon Tet offensive" in our own country here. There is no punishment.

I think it is a horrible thing. I don't like to see law, bans, or regulations made if they will not be enforced. If the policy of this administration is to let people go over to Cuba and come back and start little revolutionary movements, they shouldn't try to disguise it behind a ban or a prohibition which they don't enforce.

To me, a law is a law and it ought to be enforceable. They shouldn't encourage or permit people to go over and return and then go scot free. If the policy of the administration is to let them go over, let them come back, then let the administration answer to the parents of

America whose boys are dying in Vietnam. This is part of the same contest.

It shouldn't be masqueraded, hidden, or camouflaged by saying we have a ban against people going to Cuba. They are going and they are coming back. Stokely Carmichael has been there and has come back. These fellows have gone there and have come back. Nothing is being done about it. It is a kind of alarming situation, really.

I think we should be as excited, as we necessarily must, about a terrible war in Vietnam, and that we coddle it 90 miles from Florida and don't even stop our agitators and citizens from going over and coming back, and going over and coming back, and agitating new Communist riots in this country and developing draft dodgers who won't go into military service and support the colors, while other people of their age are being drafted to fight in Vietnam.

I can understand why you have a lot of doves in this country, a lot of dissidents.

The CHAIRMAN. In both parties.

Senator MUNDT. In both parties; yes.

But may I add in this same bipartisan vein, both parties do not establish the policy on passports to Cuba. That is done by L. B. Johnson's government.

The CHAIRMAN. Let me repeat that the tone is set from the top. If we get ready to have law enforcement in this country, we can have it. It is a matter of will. It is simply a matter of will. Will we do what is necessary to preserve law and order, not can we do it. It can be done.

Senator MUNDT. The same full fact is we are just not trying. We want clean streets, clean alleys, law enforcement. But we are not even trying.

I happen to know that the chairman has tried to give the police some tools, that he has tried to get a bill passed. The very people who are talking about clean streets and alleys oppose the chairman's bill to get safe streets and alleys. It is time for plain talk, to fish or cut bait. Those are the facts.

The CHAIRMAN. I would like to present this article to you from the Life magazine.

Does that refer to the group that you have identified?

Lieutenant McCoy. This was published in Life magazine on February 28, 1965. It is a two-page article, entitled "Plot To Behead the Statue of Liberty."

In this picture, carrying a banner which reads "Black Liberation Front" is a person whom I can identify as General Gordon Baker, Jr., standing next to a person whose name is Robert Collier.

The CHAIRMAN. Who is Robert Collier?

Lieutenant McCoy. If I may quote from this article, "Collier, who is"——

The CHAIRMAN. It will be made exhibit No. 85A.

(Document referred to was marked "Exhibit No. 85A" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy (continuing). "For a dedicated revolutionary, Collier, who is 28 and worked as a clerk in the New York public libraries, certainly had a wagging tongue."

This is one of the persons who was arrested for the plot to destroy the Statue of Liberty.

Mr. Chairman, I brought with me a RAM publication, entitled "Black America," which was published in the fall of 1964 and contained articles by Max Stanford, Philadelphia, Pa., the field chairman of RAM; James Boggs, of Detroit, a traveling field representative of RAM, who helped to form the Detroit group; Don Freeman, of Cleveland, who is referred to as the "father" of RAM; also excerpts from the speeches of Rev. Albert B. Cleage, Jr., of Detroit.

The CHAIRMAN. That may be received and marked "Exhibit No. 86."
(Document referred to was marked "Exhibit No. 86" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. That James Boggs. Is that the one you referred to a little while ago?

Lieutenant McCoy. That is the James Boggs who resides at 3061 Field in Detroit. That was the mailing address for RAM in Detroit.

The CHAIRMAN. I see an article by Rev. Albert B. Cleage, Jr. about black brotherhood:

Black Nationalism or Black Brotherhood offers a powerful weapon ready at hand because it has been forged by the chains and shackles of oppression. Every hand which has been raised to strike a black man down, has driven all black men closer together. The Negro has been persecuted, abused, oppressed and discriminated against because he is black. The white man's hand has not been raised against him because of anything he has done, but of what he is . . . because he is black. . . . So, the white man's hatred has fashioned a black nation within a nation. A black brotherhood of necessity in which black men must unite and love each other if they are to survive.

That was just in the initial paragraph.

Was this publication distributed in Detroit, do you know?

Lieutenant McCoy. Yes, sir. This was sold in Detroit.

The CHAIRMAN. Proceed.

Lieutenant McCoy. I also have a book, the Black America Special, entitled "Black America Arm Yourselves For A War of Self-Defense and Survival."

The CHAIRMAN. Who is that by?

Lieutenant McCoy. This is published by RAM.

The CHAIRMAN. Has this been distributed in Detroit and other places?

Lieutenant McCoy. Yes, sir; it has.

The CHAIRMAN. This picture on the front of it says it is Robert Williams. Do you identify it as such?

Lieutenant McCoy. I have never met him personally. I have seen many pictures of him and this is Robert Williams.

The CHAIRMAN. This sells for 10 cents. There is no date on it. Do you know when it was published?

Lieutenant McCoy. It was undated. It was a special issue.

The CHAIRMAN. When was it distributed in Detroit, if you know?

Lieutenant McCoy. I believe it was in 1964.

The CHAIRMAN. That was about 2 years before any rioting occurred.

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. That will be made an exhibit.

(Document referred to was marked "Exhibit No. 87" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. I have a publication titled "The Los Angeles War Cry," "Burn Baby Burn," which was also published by RAM.

The CHAIRMAN. What is the date on it?

Lieutenant McCoy. There is no date.

The CHAIRMAN. On page 16, it says, "Published by RAM, the Black Liberation Front of the U.S.A."

Lieutenant McCoy. That is correct.

The CHAIRMAN. Was this distributed in Detroit?

Lieutenant McCoy. Yes, sir; it was.

The CHAIRMAN. It doesn't appear to be dated. When was it distributed?

Lieutenant McCoy. We come into possession of these at different times. In fact, we came into possession of one of these last May.

The CHAIRMAN. These came into your city, as far as you know, last year?

Lieutenant McCoy. No; they have been there for a couple of years, Mr. Chairman, but I don't remember the date they first appeared in Detroit.

The CHAIRMAN. It was published, I am advised, after 1965.

Lieutenant McCoy. It was published after the Los Angeles riots.

The CHAIRMAN. It refers to that, does it?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. So it was after the Los Angeles-Watts riots?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. This is the publication that came out after that.

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. And it was circulated in Detroit?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Whose picture is on the front of it?

Lieutenant McCoy. I have no idea.

The CHAIRMAN. This will be received and made an appropriately numbered exhibit.

(Document referred to was marked "Exhibit No. 88" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. On page 7, this is by Robert F. Williams:

U.S.A., THE POTENTIAL OF A MINORITY REVOLUTION

The weapons of defense employed by Afro-American Freedom Fighters must consist of a poor man's arsenal. Gasoline fire bombs (Molotov cocktails), lye or acid bombs (made by injecting lye or acid in the metal end of light bulbs) can be used extensively. During the night hours such weapons thrown from roof tops will make the streets impossible for racist cops to patrol. Hand grenades, bazookas, light mortars, rocket launchers, machine guns and ammunition can be bought clandestinely from servicemen, anxious to make a fast dollar. Freedom Fighters in military camps can be contacted to give instruction on usage.

Extensive sabotage is possible. Gas tanks on public vehicles can be choked up with sand. Sugar is also highly effective in gasoline lines. Long nails driven through boards and tacks with large heads are effective to slow the movement of traffic on congested roads at night. This can cause havoc on turnpikes. Derailing of trains causes panic.

Explosive bobbytraps on police telephone boxes can be employed. High-powered sniper rifles are readily available. Armor piercing bullets will penetrate oil storage tanks from a distance. Phosphorous matches (kitchen matches) placed in air-conditioning systems will cause delayed explosions which will destroy expensive buildings.

Flame throwers can be manufactured at home. Combat-experienced ex-servicemen can easily solve that problem.

Then I find another one down here that says:

Uncle Toms should be as much a target as racist whites.

Then I find on the second page of the article:

The electrical plant should be the first target, then radio and TV stations, after a revolutionary broadcast by seizing it; newspapers next; the destruction of newspaper buildings, including the press, etc. In urban areas, transportation lines would be the Number 2 target—sabotage of subway systems, derailing of trolleys or trains. The destruction of airports, especially the tower, dents the beasts' transportation system. Telephone lines should be cut.

They have about everything they can think of, apparently, to cause disruptions and wage a guerrilla war.

On page 3, Section 2, it says:

So emphasis in the north would be to wreck the oppressors' political and economic apparatus, government buildings, assassination of government officials, state and city, police machinery, armory and so forth, business executives and business buildings. Strategic raids in certain suburbs at night, blowing up executives' homes would be total social dislocation of major cities and will be the type of activity of the northern campaign.

Then he says:

The southern front would shift quickly from guerrilla to mobile warfare. At this time the oppressor would be forced to call in the National Guard and the Army. Battle forces would be divided because of internal dissension due to the race issue.

If anybody wants more to be convinced about the militant elements in this country, what they are designing to do, what they are planning to do, and what they are attempting to do, if they need more than that, I don't think they can be convinced.

I think it is obvious that we have this element and that this element is involved in planting the seeds of rioting and destruction. I don't think there is any question about it. They certainly are disseminating this literature.

How much more they are doing in the way of conversation and personal urging of violence—I am sure they are doing just as much that way as they are doing with their literature.

No one can tell me that all this does not have an impact on this country, on the lawlessness that prevails, the so-called tensions between the races, and the sense of fear that pervades many communities. I am as confident as I can be that this is one source of the trouble and probably the principal source.

People of good will on both sides, both races in the communities, are trying to work against this insidious propaganda and the efforts of these would-be saboteurs. I think America is going to have to awaken to these conditions, especially the law-enforcement officials of the land, and people of the communities where these threats are most prominent.

Senator MUNDT. Lieutenant McCoy, in the pursuance of your duties. I presume you have to have a pretty comprehensive knowledge of what the laws and ordinances are that govern the city of Detroit and the State of Michigan. You can't just pick people up on suspicion. You have to pick them up for violating some code. Is that right?

Lieutenant McCoy. That is correct.

Senator MUNDT. Is there a city ordinance in Detroit which, if you were walking down Dexter Street and you saw somebody handing out this inflammatory material that the chairman has been reading—which is obviously designed to instigate riots, to instigate murders, and to blow up buildings—would that be against the law in Detroit?

Lieutenant McCoy. No, sir; this is not violating any city ordinance that I know of.

Senator MUNDT. Is there any kind of city ordinance at all against the instigation of mob rule or riot or murder?

Lieutenant McCoy. Certainly.

Senator MUNDT. You can't murder. I understand that is still illegal. But as to instigating—this is telling someone to go out and murder someone, to blow up the buildings. In fact, the material indicates they were trying to assassinate about everybody except the judges. I would not even make a guess as to why they did not include them.

But, as a law-enforcement officer, what would you do? If you walk down Dexter Street and there is a fellow on a soap box who is saying, "Let's blow up the city hall and kill Mayor Cavanagh. Let's blow up the light plant so we can put the city into darkness. Let's instigate a riot, and give these snipers rifles. You can buy them at Mr. Sloan's arsenal across the street," what would you do? Would you be powerless?

Lieutenant McCoy. In the violation of any law, you have certain elements that constitute a crime, and in most cases it is the overt act. Until they commit this overt act, we cannot make an arrest.

Senator MUNDT. I am curious as to whether you think that is unimportant in this day and age. Is it enough to have laws after the fact?

I wonder whether or not there should be some kind of ordinance passed which would do something to prevent these things before they occur. It is difficult under the first amendment, I realize that. We don't want to have censorship. We don't want to have laws which stop people from exercising freedom of speech.

But there still must be some way, I would think, that an organized, decent community like Detroit would have the capacity to do something to prevent the wholesale distribution of blueprints for disaster. That is what this is. This material falls into the hands of people who sometimes are not very sophisticated, who have some cause for being disenchanted, perhaps, with their lives, their society.

It is appalling to me to have you, as a law-enforcement officer, say there is nothing that can be done until after the fact—that the printing and distribution of this type of literature by which people are trained to blow up their community, and the organization of groups and the holding of meetings for the purpose of agitating our existing society cannot be prevented. In other words, we do not seem to have a way to empower you as a law-enforcement officer to move into such a situation and, in effect, say, "We better stop this sort of thing before it gets into everybody's home."

Lieutenant McCoy. No, sir, Senator Mundt. We do not have that power.

Senator MUNDT. As an experienced law-enforcement officer, assuming it could be done constitutionally, do you think it would be helpful in your position of trying to keep Detroit peaceful and lawful in preventing these things—if you had some chance to move in at the preventive level instead of after the fact?

Lieutenant McCoy. Yes, sir.

Senator MUNDT. I think so, too. I don't know how to do it, but I think it should be tried. There are things that constitutional lawyers

would say are within the purview of the latitudes established by the first amendment. But then it must be chucked up to the Supreme Court and let them make their decision, letting the public know what the verdict is. This thing is tough.

To simply sit there and say, "My goodness gracious, the mayor says they are buying guns at the rate of 1,500 a week, both sides. Things are getting bad."

I can understand that if they get this sort of stuff in their mailbox, if they have meetings urging people to get into doing these things, it becomes a kind of an awesome situation.

For the government—the Federal, State, city, wherever it happens—to say, "Man, oh, man, we are going to have trouble, but we can't do a thing to stop them; we can't stop these fellows from agitating, organizing, getting set, parading, all the things they do—from getting the blood hot, the mind confused and the heart bitter," I think those various government officials who are working on riots, instead of pointing fingers at each other, with one commission saying it is the fault of the black people and the other saying it is the fault of the white people, maybe they ought to ask themselves, "Is it the fault of organized society for failing to enforce some kind of protective measures?" I don't know how else you stop this.

In the Phillip Luce book, it says that the RAM has been officially aligned with the Communist Vietcong. In 1964, RAM sent a message of congratulations to the Vietcong because they were killing American boys in the war.

Here we sit and say, "My goodness, I wish we had some way to protect ourselves."

Somebody ought to start getting under the froth and seeing what kind of poison people are putting in the root beer. This is what is causing the whole thing. There is no question about that.

The CHAIRMAN. Proceed.

Lieutenant McCoy. The Black Guard is next.

The "Black Guard Organizers Manual," which was secured from a confidential source, describes the Black Guard as a black youth group dedicated to black power, black unity, and self-defense. The Black Guard is the forerunner of a Black Liberation Army.

The Black Guard and RAM are synonymous. The highest unit of authority of the Black Guard is the RAM soul circle.

The CHAIRMAN. Are the Black Guard and RAM the same organization?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Are they synonymous?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. I have the "Black Guard Organizers Manual" before me. Do you have a copy before you?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Can you identify it as being authentic?

Lieutenant McCoy. This is a copy of the "Black Guard Organizers Manual" that came into our possession through a confidential source.

The CHAIRMAN. How long have you had it in your possession?

Lieutenant McCoy. July or August 1967.

The CHAIRMAN. Was that before or after the riots?

Lieutenant McCoy. After the riots.

The CHAIRMAN. After the riots, this came into your possession. Do you know how long this has been in existence?

Lieutenant McCoy. No, sir; I do not.

The CHAIRMAN. But it was in existence shortly after the rioting?

Lieutenant McCoy. It came into our possession shortly after the rioting.

The CHAIRMAN. I am talking about the organizers manual.

Let this "Black Guard Organizers Manual" be received and made an exhibit.

(Manual referred to was marked "Exhibit No. 89" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. I can't identify the page, but I see one title, title C, "Levels of the Black Guard." It says:

There are four levels of organization in the Black Guard. Level 1 is the green star. Level 2 is the red star. Level 3 is the black star, and level 4 is the RAM star.

Then it goes on and lists four identifications of these different stars, what is required to earn one of them.

On the RAM star, No. 4, it says:

To obtain a RAM star, the recruit must have completed orientation 4, must know lessons, know how to apply lessons, must know Black Guard Manual, and must have been in the Black Guard training for 11 months. Once passing tests, he will receive RAM star. The recruit should have the equivalent of a brown belt karate, and should be a good, self-disciplined guerrilla soldier with knowledge of different aspects of self-defense warfare.

I reckon that is the highest star, the RAM star.

Lieutenant McCoy. That is correct.

The CHAIRMAN. But all of it pertains to methods, training, and developing soldiers as guerrillas, does it not?

Lieutenant McCoy. Yes, Mr. Chairman.

The CHAIRMAN. In other words, it all deals with violence.

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. You may proceed.

Lieutenant McCoy. In the spring of 1967, posters began appearing in the Negro neighborhoods reading "Unite or Perish" and "Join the Black Guard."

This is one of the posters.

The CHAIRMAN. When did you find that?

Lieutenant McCoy. In the spring of 1967.

The CHAIRMAN. That was before the riot?

Lieutenant McCoy. Yes, sir; it was.

The CHAIRMAN. The Black Guard was advertising or soliciting recruits?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Was this found in the neighborhood where the rioting occurred?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. You don't know how many were up?

Lieutenant McCoy. No. We received quite a few reports. Many of them were scraped off by the people in the neighborhood. Some of them we were able to recover ourselves.

The CHAIRMAN. That was not the only one you had?

Lieutenant McCoy. No, sir.

The CHAIRMAN. They were plastered generally over that neighborhood where this rioting occurred?

Lieutenant McCoy. Several different neighborhoods; yes, sir.

The CHAIRMAN. And that was how many months before the rioting began?

Lieutenant McCoy. In the spring of 1967, April and May.

The CHAIRMAN. In other words, 2 or 3 months prior to the time the rioting actually broke out?

Lieutenant McCoy. That is correct.

Senator MUNDT. Is there anything on that poster to identify who put it out?

Lieutenant McCoy. No, sir; there is not, or where you could join.

Senator MUNDT. You can carry back to Detroit with you one country boy's suggestion on how to at least start in the direction of preventing these things, because there is a Federal law which provides that people who campaign for office and political committees, have to identify all of their literature.

You may simply expand that and say that anybody putting out any book or public document has to at least identify the source. Then you have a start in showing that you are trying just a little bit to prevent these things.

Everybody who runs for office, in Detroit, in South Dakota, Arkansas, anywhere, you have to identify the source, which is proper, to get away from this scandalous and inflammatory business. You can certainly pass that kind of a law. Then you can go back to the source.

At least, if you can do nothing more, you can do some surveillance of the printing presses and the people who are putting this material out. It would give you some clues as to who would be starting the next riot, who are trying to get the thing organized. That is one thing that would stand the test of time.

It is this apathy of not trying to do anything about it, by the public, which scares me.

I heard some of the Detroit witnesses say, "We are getting ready. We are going to call in the National Guard, the U.S. Army, and help put down a riot which we are not doing very much otherwise to prevent."

This is apparent by the kind of literature you are showing. There has to be some kind of effort on the part of people to prevent these things.

I am sure they can expand my suggestions quite a way and still keep within the purview of the very proper protection of the fifth amendment. There is confusion in the minds of a lot of people that the right to dissent means the right to destroy. It does not mean that.

In our Federal Government centered in Washington, D.C., we are not immune from criticism. We had the big march come down here which permitted a lot of people to destroy the taxpayers' property around the Pentagon building.

Nobody was put in prison for very long.

This is a kind of public apathy. They just don't want to do anything to protect themselves. "Great Jumping Aunt Nellie," the Army has enough to do in Vietnam and around the world rather than to be sitting around ready for the mayor of Detroit to say, "We have another riot. The same people are out on probation and/or suspended sentences and are rioting again. Send in the Army."

Maybe we have to do it. If we have to do it, I am for it. But Detroit, Washington, and America's society generally ought to start doing something to prevent it. Why turn the country over to the rascals in the first place? Why grease the skids to disaster? Why not take some action to prevent it? There will still be trouble enough.

So give that little suggestion to the mayor of Detroit. All you have to do to start with is to make the individuals live with the same type of law that he has to live with in office. Everything that is circulated, everything that is published, everything that is put out by proclamation—anything that doesn't go first-class mail—make them identify it. At least, you have a start. It is a small start but it is a start. It shows you are not just surrendering in advance to the radical element or those who want to destroy American society—conspired, as the testimony shows, directed, as the record indicates, by Communists, sometimes not even American Communists. Sometimes Communists in Cuba, and sometimes other overseas Communists.

The CHAIRMAN. That poster will be made exhibit No. 90.

(The poster referred to was marked "Exhibit No. 90" for reference. And may be found in the files of the subcommittee.)

The CHAIRMAN. You may proceed.

Lieutenant McCoy. On May 24, 1967, Robert Earl Burke, 33, Negro, was arrested stenciling the Black Guard poster on a building. Burke was found guilty of malicious destruction of property and sentenced to 1-year probation and \$100 fine. Burke denied being a member of the Black Guard and stated that two men gave him \$10 and the equipment to do the job.

The CHAIRMAN. Did he identify the men who gave him the money?

Lieutenant McCoy. Two unidentified men.

On July 24, 1967, at 12:50 a.m., Burke was arrested while accompanied by General Gordon Baker, Jr., and Glanton V. Dowdell. The three were charged with violation of the Governor's emergency curfew proclamation. At their trial on August 3, 1967, the three were found not guilty.

The CHAIRMAN. This same man who was convicted of putting up these posters was arrested with these other two that you identified, General Gordon Baker and Glanton V. Dowdell?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. The same man convicted of putting up the posters was arrested with these two after the poster incident?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. And they were found not guilty for violating curfew?

Lieutenant McCoy. That is correct.

Senator MUNDT. They were arrested for what?

The CHAIRMAN. For violating the curfew.

Senator MUNDT. They were not arrested for putting up the posters?

Lieutenant McCoy. No, sir.

The CHAIRMAN. This was after hours that they were arrested. What technicality released them? Do you know?

Lieutenant McCoy. Why they were released? The court felt that due to the early hour, the lapse of such a small time after the proclamation was issued, that these persons very well could not have known of the curfew being in effect.

The CHAIRMAN. These are militants they claim couldn't know about it?

Lieutenant McCoy. That is correct.

The CHAIRMAN. They are all militants?

Lieutenant McCoy. They are militants; yes, sir.

The CHAIRMAN. Very well. Go ahead.

We are finding more excuses to turn them loose. About all you have to be today is a militant to be turned loose from most anything.

Lieutenant McCoy. Next is the Group on Advanced Leadership.

GOAL was an active organization in Detroit from approximately April 1962 to March 1965.

GOAL filed with the Michigan Corporation and Securities Commission on April 19, 1962, as a nonprofit corporation. It listed the following purposes for being formed:

(1) To promote the educational, social, and economic interest of the total community;

(2) To purchase, own, hold, rent, lease, mortgage, sell, convey, and otherwise lawfully acquire, hold and dispose of real and personal property or any interest therein as may be necessary or convenient to carry into effect the objects of the corporation;

(3) To solicit, sell, or give memberships;

(4) To solicit and/or receive donations and gifts.

An article appeared in the Courier in February 1964, which identified the leaders of GOAL as Attorney Milton Henry, Richard Henry, and the Rev. Albert B. Cleage.

The CHAIRMAN. Are all three of these known to be members of these militant organizations?

Lieutenant McCoy. Yes, sir; they are.

This article is entitled "GOAL Sets Big Crusade," and it announced that GOAL was to hold a special lift out meeting to kick off a multi-million dollar investment program.

I have a copy of that article available.

The CHAIRMAN. I see some newspaper articles that you identify with your testimony.

Do you identify them?

Lieutenant McCoy. Yes; I do, Mr. Chairman.

The CHAIRMAN. They may be made an exhibit.

(Articles referred to were marked "Exhibit No. 91" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. An article appeared in the Michigan Chronicle on July 11, 1964, that stated the top item on the agenda of GOAL's regular monthly meeting will be the formation of a rifle club according to Richard Henry, president.

On July 26, 1964, a meeting of the Group on Advanced Leadership was held at the GOAL Headquarters. At this meeting, 10 members of GOAL formed the Medger Evers Rifle Club (MERC). It was announced that the purpose of MERC was to train a small army to travel to Mississippi and fight to help the Negroes who are being prosecuted. This meeting was chaired by the president of GOAL, Richard Henry.

On January 3, 1965, a meeting was held at GOAL headquarters 11605 Linwood Avenue, among four members of the Medger Evers Rifle Club and nine members of the Revolutionary Action Movement. The purpose of this meeting was to establish a new rifle club

composed of members of both organizations. Officers were elected as follows:

Richard B. Henry, president; John Henry Jackson, Jr., vice president; Maxshire Henderson, secretary; Melvin Turner, treasurer; Kenneth Brooks, quartermaster; Harry Brown, training officer; and Vales Crossley, assistant training officer.

It was decided by general vote that the club be called the Fox and Wolf Hunt Club.

On March 1, 1965, a certificate was filed at the office of the Wayne County clerk allowing business to be conducted under the assumed name of Fox & Wolf Hunting Club at 11605 Linwood Avenue. Signatures that appeared on this certificate were:

Richard B. Henry.
John H. Jackson, Jr.
General G. Baker, Jr.
Maxshire Henderson.

I have a copy of the document.

The CHAIRMAN. The exhibit may be received and appropriately numbered.

(Document referred to was marked "Exhibit No. 92" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. In March of 1965, GOAL gave up its offices at 11605 Linwood and thereafter meetings of the Fox & Wolf Hunting Club were conducted at the residences of the individual members.

On July 31, 1965, an article appeared in the Michigan Chronicle entitled "A Gun for Every Family."

The CHAIRMAN. Is this a copy of the article?

Lieutenant McCoy. It may be received and appropriately identified.

(Article referred to was marked "Exhibit No. 93" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. It was announced in this article that Robert Hicks, vice president of the Bogalusa Deacons for Defense, was coming to Detroit as part of a drive to increase Negroes' proficiency with guns. Richard Henry was quoted in this article as saying:

We would like someone in every Negro family in Detroit to own and know how to use a gun.

The purpose:

To serve as a deterrent to reckless whites who believe all Negroes are non-violent.

Black Arts Convention.

On June 29, 30, 1967, and July 1, 2, 1967, forum 66 sponsored the Second Annual Black Arts Convention in the city of Detroit. The convention activities were conducted at the Central United Church of Christ, 7625 Linwood Avenue; Rev. Albert B. Cleage, Jr., pastor.

A 14-page booklet containing the history of forum 66, a timetable of the convention, and a list of patrons were obtained at the convention.

I would like to submit that as an exhibit.

The CHAIRMAN. That may be made an exhibit.

(Booklet referred to was marked "Exhibit No. 94" for reference and may be found in the appendix on p. 1464.)

The CHAIRMAN. I notice on the program, under the title "Convention Timetable" on page 9, there are several names we have already heard, James Boggs—who was going to speak on Vietnam and the

world at war—and another one, at 1:30 p.m., an art panel and demonstration. I see on that panel were Henri King, Glanton Dowdell.

On another panel is Dr. Nathan Hare. On another one was Harold Lawrence as the moderator. On another one, community organization workshop, has Dorothy Dewberry, Grace Boggs, Leonard C. Ball.

Then on another one Edward Vaughn is moderator.

How long was this convention before the riot?

Lieutenant McCoy. It ended on July 2, 1967; 3 weeks prior to the riots.

The CHAIRMAN. I notice another one on resolution. The closing address was given by Rev. Albert Cleage, Jr.

These names that I have referred to, are they all known?

I do see some others—Milton Henry, James Wadsworth.

Are all of these militants and advocates of violence?

Lieutenant McCoy. The majority of them are; yes, sir.

The CHAIRMAN. The majority of them are militants and advocates of violence?

Lieutenant McCoy. That is correct, Mr. Chairman.

The CHAIRMAN. And they belong to these organizations which advocate violence?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. Proceed.

Lieutenant McCoy. Speakers on June 30, 1967, included the Rev. Albert B. Cleage, Jr., Daniel Watts, and Hubert G. Brown.

Reverend Cleage spoke of the war in Vietnam and the only reason it was being waged was to protect the big business interests there.

The CHAIRMAN. Who is Hubert G. Brown?

Lieutenant McCoy. He is better known as Rap Brown.

The CHAIRMAN. That is the Rap Brown. Is that right?

Lieutenant McCoy. That is correct.

Reverend Cleage also stated democracy was not intended for the Negro.

Hubert G. Brown, national chairman of SNCC, stated that the United States is on the eve of black revolution and that the Negroes' aim is an eye for an eye and a tooth for a tooth. He urged the Negroes to get guns; that the Negroes must have total victory and change the system. He urged the Negroes to tell their brothers to come home from Vietnam because their war is here in the United States. He made the statement, "Motown, if you don't come around, we are going to burn you down."

The CHAIRMAN. Who is Motown?

Lieutenant McCoy. Detroit is quote often referred to as the "Motor City" or "Motown."

The CHAIRMAN. That is what that refers to?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. "If you don't come around, we are going to burn you down."

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. How long after that before they started the process of burning the town?

Lieutenant McCoy. Three weeks.

The CHAIRMAN. And yet they tell us it happened because of some other reasons and not because of these agitators.

Could they possibly hold conventions and talk to people like that without agitation and incitement to the violence that later occurred? Can you possibly disassociate it from these incidents of public meetings and this rabble-rousing, riot-inciting atmosphere and agitation? Can you possibly disassociate the riots from these?

Lieutenant McCoy. I can't, Mr. Chairman.

The CHAIRMAN. I just cannot understand the process of reasoning that would prompt anyone else to claim that it had no bearing and no relationship.

Proceed.

Lieutenant McCoy. Daniel Watts, editor of the *Liberator* magazine, was the keynote speaker. He urged greater efforts by the Negroes to obtain control of the ghettos.

Senator MUNDT. We have a little information on Daniel Watts I would like to talk about for a little while.

I am quoting again from the disclosures incorporated in the book "Road to Revolution" by the former Communist, Phillip Luce, who is now aiding the law enforcement community in this country. On page 48, he says:

The most successful of all the present black national publications is *The Liberator*. This magazine, run and operated by Dan Watts, a former architect, typifies the desperate mood so characteristic of many black revolutionaries. In an editorial entitled "The Enemy Within," Watts writes: "This is not to say that all whites are blue-eyed devils (despite overwhelming evidence), or that no whites can be trusted; what is suggested here very firmly, is that the struggle for freedom of the Afro-American in America must be led by organizations controlled, directed and supported by Afro-Americans. . . . No people, no army, can fight while the enemy remains in its ranks. Our ranks are small, the time is short, we must not allow this intolerable condition to continue."

Following the 1965 Watts riot, *The Liberator* editorialized:

"Once again as in the uprisings of last year in Harlem, a hurried call by the white power structure was made to the porkchop 'preacher' from Atlanta, Georgia (Martin Luther King). Getting a much needed sun tan in Puerto Rico, and a convicted degenerate from New York (Bayard Rustin), to rush to Watts and help pacify the natives. Both of these poor excuses for men are an insult to Black manhood asserting itself."

Now, reading from the report of Mr. Luce:

The Liberator is the strong supporter of armed "self-defense" squads throughout the country. Recent issues have begun to exemplify the anti-Semitic nature of most of the black revolutionary groups.

One article entitled as . . . "Semitism in the Black Ghetto," states:

* * * and then they go on to castigate the Jews.

I don't know how they differentiate whites from Jews, but they seem to have a special reason that they enunciate for going against the Jews. As pointed out by Mr. Luce:

Novelist James Baldwin and Actor Ossie Davis severed all connections with *The Liberator* in March 1967 over its anti-Semitism.

Baldwin and Davis didn't seem to be upset about the mandate for murder, but this got to them because of the anti-Semitism of *The Liberator* and its black movements. They severed their relationship. At least I am glad they severed their relationship.

Continuing on page 49, Mr. Luce writes:

LeRoi Jones, the poet, playwright and black revolutionary is an often published favorite of *The Liberator* crowd. The January, 1966 issue of *The Liberator*

contains an outrageously anti-Semitic poem by Jones, entitled "Black Art" . . . Jones, who formerly conducted the black arts—

And I want the chairman to listen to this so I will desist until I have his attention—

Jones, who formerly conducted the "Black Arts" Theatre Workshop in Harlem which was financed by Federal poverty funds—

Maybe I should read that again.

Jones, who formerly conducted the Black Arts theatre workshop in Harlem which was financed by Federal poverty funds, now makes his living by attacking white people in various "liberal" publications. A review of one of Jones' books in the Liberator quotes him as once stating, "The force we want is 20 million spooks storming America with furious cries and unstoppable weapons. We want actual explosions of actual brutality."

I am not just quite clear in my own mind why the Federal Government should be supporting with poverty funds a man out there agitating human brutality. Maybe some day if Mr. Shriver doesn't go to Paris, we can get him up here to ask him about that.

The CHAIRMAN. I want to go a couple more pages before we recess.

Lieutenant McCoy. On July 1, 1967, a delegation from Cincinnati, Ohio, chapter of SNCC was at the church. A member of Cincinnati SNCC stated, "We already had our riot and we're here to show you how it's done."

The CHAIRMAN. Is that at the church where the convention was being held, where we talked about the program and the number of militants on the program?

Lieutenant McCoy. That is correct.

The CHAIRMAN. You have the identification of the man who heard the statement, do you?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. The man who said it was a member of SNCC in Cincinnati and was down there attending this convention?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. He stated, "We already had our riot and we're here to show you how it's done"?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. And this happened 3 weeks before the riot actually started?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. And it happened in a church; is that right?

Lieutenant McCoy. That is correct, sir.

The CHAIRMAN. That was where this Reverend Cleage was a preacher or something?

Lieutenant McCoy. He is the pastor of the church.

The CHAIRMAN. So they still say that nobody from outside incited the rioting, that it was all caused by something else.

Proceed.

Lieutenant McCoy. On July 2, 1967, a motorcade consisting of approximately 25 cars and two trailers formed at Dexter and Davison. This motorcade drove to 7625 Linwood, a distance of several miles, where it disbanded. One of the trailers contained musicians playing African music. On one of the trailers was a young man who kept shouting "black power." This parade received a cool reception from the Negroes that I observed along the route.

Attached is some of the literature that was distributed at the black arts convention :

No. 1: "Poems Comin' From a Black Thing," by Young Black People;

No. 2: A poem titled "Black Arts Conference," author unknown;

No. 3: A two-page mimeographed paper titled "UJAMMA," containing the rules and regulations for membership in the Black Arts Confederation of Unity;

No. 4: A four-page mimeographed sheet titled "Blackness Is Beautiful," by Anna Belle Washington.

The CHAIRMAN. Let these articles and items be received as exhibits.

(Documents referred to were marked "Exhibit No. 95" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. Citywide Citizens Action Committee (CCAC).

On August 18, 1967, a certificate was filed with the Wayne County clerk to conduct business under the assumed name of Citywide Citizens Action Committee at 7625 Linwood, Detroit, Mich. The following four persons signed this certificate: Rev. Albert B. Cleage, Jr., chairman; Glanton Dowdell, cochairman; Nadine Brown, secretary; Clyde Cleveland, treasurer.

This certificate was notarized by Grace Boggs.

The CHAIRMAN. The certificate may be made an exhibit.

(Certificate referred to was marked "Exhibit No. 96" for reference and will be found in the appendix on p. 1467.)

Lieutenant McCoy. The aims of the CCAC are:

(1) To have Negroes control the rebuilding of the 12th Street area and other areas in Detroit damaged by the Detroit riot to insure that these new buildings, businesses, and other constructions are owned and operated by Negroes;

(2) To politically educate Negro citizens in the riot areas to the qualifications of the various candidates;

(3) To establish and assist Negroes financially in opening new businesses in these areas;

(4) To acquaint the Negro community with the reasons for the rioting in Detroit in July 1967, indicating to them that the rioting was caused by police brutality and the suppression of Negroes for many years by the white establishment.

The CHAIRMAN. Was there police brutality that night when they went in to make the arrests at the blind pig? According to the testimony, there were only four policemen making the arrests. There were 85 persons there.

Lieutenant McCoy. I conducted an investigation into this matter after it was over, and everybody that I interviewed indicated that there was no police brutality.

The CHAIRMAN. Did you interview the people who were in there?

Lieutenant McCoy. I interviewed people who were there, yes, sir.

The CHAIRMAN. Proceed.

Lieutenant McCoy. On August 30, 1967, CCAC sponsored a people's tribunal at the Central United Church of Christ, 7625 Linwood. The purpose of this tribunal was to try two Detroit police officers, a National Guard officer, and a private police officer who were allegedly involved in the fatal shooting of three Negro youths at the Algiers Motel on July 26, 1967.

The CHAIRMAN. What kind of a tribunal was this?

Lieutenant McCoy. This was a people's tribunal.

The CHAIRMAN. Who conducted it? Reverend Cleage?

Lieutenant McCoy. Reverend Cleage was present; yes, sir.

The CHAIRMAN. He was president?

Lieutenant McCoy. No; he was present.

Kenneth Verne Cockrell acted as judge; Attorney Milton Henry acted as prosecutor; Russell S. Brown and Sol Plafkin acted as defense attorneys. A preselected jury consisting of 12 members, two of whom were Caucasian, heard the evidence. The jury deliberated for approximately 1 hour and 15 minutes and returned a guilty verdict. The sentence was left to the people to determine and carry out.

I have a newspaper article on that.

The CHAIRMAN. Is this the paper you refer to?

Lieutenant McCoy. That is correct.

The CHAIRMAN. It may be received and made an exhibit.

(The article referred to was marked "Exhibit No. 97" for reference and may be found in the files of the subcommittee.)

Lieutenant McCoy. During the trial, photographs of the Detroit police officers involved were exhibited to the jury and circulated throughout the audience.

During September and October of 1967, CCAC conducted a series of motorcades in different parts of Detroit. Attached are some of the handbills that were passed out during these motorcades.

The CHAIRMAN. All of this is occurring since the riot?

Lieutenant McCoy. This is an organization that was formed after the riot; yes, sir.

The CHAIRMAN. What does this represent?

Lieutenant McCoy. This is, as I say, some of the literature that has been distributed by CCAC.

The CHAIRMAN. By this same group that put on the mock trial?

Lieutenant McCoy. Yes, sir.

The CHAIRMAN. They are fair and impartial, according to this; very much so.

Let it be received and made an exhibit.

(Document referred to was marked "Exhibit No. 98" for reference and may be found in the files of the subcommittee.)

The CHAIRMAN. Can anybody read that and dispute my charge about it?

To me, it thoroughly demonstrates the whole attitude out there of this group of hard-core militants. Their whole purpose is to inculcate and instill prejudice and to agitate for violence. That is on the face of it.

It shows a willful, determined, resolute purpose to create violence, rioting, and disturbances between the races. It can't have any other purposes.

Proceed.

Lieutenant McCoy. The CCAC is still active and meets weekly at the Central United Church of Christ, 7625 Linwood. The pastor is the Reverend Albert B. Cleage, Jr.

That is a sample of some of the organizations we have in Detroit.

Senator MUNDT. Mr. Chairman, I would suggest, since we have been

here 2½ hours, if the lieutenant has finished his analysis of the riot, I be permitted to present these remarks.

I would like to say, Lieutenant, speaking for myself at least, we are now in the fourth big riot that this committee has investigated—Nashville, Houston, Plainfield, and Detroit.

In my opinion, you have done, by all odds, the best job of any witness we have had in holding an X-ray up to what creates a riot, and in pointing out in great detail—item by item, meeting by meeting, pamphlet by pamphlet, agitator by agitator—just what boiled up finally in 1967.

I want to salute you. You have done a tremendous job, you and those working with you, in taking it apart, in taking a look at it, in holding up a warning light for your city to look at when it faces up to 1968, and a warning light, I think, for every other city as well. You have pointed out with clarity and with convincing evidence, the cause of the riot. We had other witnesses from Detroit who didn't know all of this. The houses were pretty good; the jobs were pretty well paying; the educational opportunities were pretty good. You have a lot of beautiful parks; the recreation is pretty good. There is no racial prejudice or discrimination against the black. "We are not sure" what caused the riots.

A blind man with a cane in a basement at midnight knows now after you have told us. It is there, and I hope the people of Detroit will read your testimony. I hope the news reports and media will cover it. There it is. They can do something about it, or not. It is up to them.

We can make suggestions at this stage.

I want to congratulate you on what I think is a masterful job of analyzing a riot in the making. True, your information is after the fact. It took a lot of research and detective work to do it. But there it stands, the cold hard fact, that if you want riots, you know how to get them. Just let this kind of agitation boil up, let this kind of literature be circulated, let these meetings be held, let these outside agitators come in, let the Communists from your area go to Cuba and come back and use Castro's techniques. This is a good way to bring them into being.

I hope that all of us—in Detroit, Washington, and every other community—confronted with these problems, will read and analyze and think carefully about what you have said. You have made a major contribution to the whole cause of what to do to prevent riots.

The CHAIRMAN. Senator Mundt, he is only half through. You have only heard half of it.

Senator MUNDT. I am fairly confident you are not going to say anything in the second half that would make me change my statement, Lieutenant.

The CHAIRMAN. Very well. We have reached the hour where we can recess for lunch.

We will recess until 2 o'clock and hope that another member of the committee can join us so we can have a quorum.

I would like to finish your testimony today.

The committee will stand in recess until 2 o'clock.

(Whereupon, at 12:28 p.m., the committee recessed, to reconvene at 2 p.m. of the same day.)

(Members present at time of recess: Senators McClellan and Mundt.)