

DETROIT POLICE DEPARTMENT

INTER-OFFICE MEMORANDUM

Date February 7, 1969

To: Deputy Superintendent

Subject: INVESTIGATIVE SUMMARY REGARDING THE ALLEGATIONS OF MR. JACK NATER CONCERNING ALLEGED POLICE BRUTALITY TO HIS SON, GARY, 17, ON THE EVENING OF 10-29-68. (CONCLUSION)

Complainant alleges his son Gary was severely beaten by five (5) police officers necessitating hospital treatment.

Investigation reveals Gary Nater was admitted to Detroit General Hospital (Main) and subsequently taken from that hospital to Providence Hospital, Southfield, Michigan, by his father. He was examined for a laceration to the scalp and contusion of the left wrist. He was x-rayed. Skull proved negative, left thumb fractured. The left thumb was splinted, scalp sutured, and he was released.

At an interview with Gary Nater and his father, the youth alleged the police charging into the crowd of demonstrators shouting to the top of their voices, running over people and knocking them down and struck them with their night sticks. That he was forced to jump from the 12' wall of the Pontchartrain Hotel and upon landing to the sidewalk below, injured his ankle. That while he was at Detroit General Hospital an officer, holding a cloth to his eye, swore and kicked at him.

Nater was afforded the opportunity of viewing 400 mug shots of Detroit police officers in an attempt to identify his alleged assailant. He refused to avail himself of this opportunity to identify any of his alleged assailants. He insisted that a Negro officer was nearby at the time of the incident and was allowed to look at all photographs of Negro officers assigned to this detail. He failed to identify any one.

We have information from a firefighter, Edward Kuhnlein, who was assigned that night to guard Fire Department property and observed the actions of persons assembled in the area. He related to us the story of a youth who we believe to be Gary Nater. This youth jumped from the wall of his own volition and limped away from the scene. This youth had been part of a group of active demonstrators who had been hurling crushed rock and other missiles from the terrace of the Pontchartrain Hotel at police officers and other persons assembled on the street below. This same youth was observed to return to the area later in the evening and join another group of demonstrators, actively engaged in the harassment of police officers. The youth was subsequently struck by an unidentified police officer when this group refused to leave the area.

We have observed TV News reel film of Nater lying in the doorway of the Fire Department covered with a blanket of clothing supplied by other demonstrators.

We associate this incident related by firefighter Kuhnlein as both relate the method of transportation from the scene was foreign made sports car occupied by two (2) females.

Nater's allegations of profane utterances and an attempt to kick him while at the Detroit General Hospital by a Detroit police officer would relate to Patrolman Robert Spooner, Badge #2955, of the Tactical Mobile Unit. Patrolman Spooner had previously been sprayed in the face with an irritant causing severe pain and temporary blindness. In questioning Patrolman Spooner, he does not recall participating in any action of this type. He likewise does not believe he was walking about the hospital. Patrolman Spooner does not make any attempt to emphatically deny the allegation as he states he was in a great deal of pain at this particular time, being completely blind in one eye and having very little vision in the other eye. He further states that if he were the officer involved, he would be only too glad to render an apology to Nater.

or

This complainant is unable to identify facially/by badge number any Detroit police officer. He likewise refuses to avail himself the opportunity of looking at mug shots in an effort to identify his alleged assailant. With the lack of cooperation on the part of the complainant and the inability of firefighter Kuhnlein to identify the officer, there is no way that we can satisfy this complaint. From the information given us by firefighter Kuhnlein it did appear the officer who struck Nater did so in the course of police duty when Nater refused to leave the area upon police orders.

With the available information I am unable to identify the alleged assailant and therefore cannot sustain the complaint.

Gordon Smith
Gordon Smith
District Inspector
Western District

APPROVED

FEB 11 1969

Thomas J. Turley
CHIEF INSPECTOR

APPROVED

FEB 11 1969

SUPERINTENDENT

APPROVED

FEB 11 1969

Charles H. Spaulding
DEPUTY SUPERINTENDENT