

way can healthier attitudes ensue, and fulfillment of the democratic ideal be more nearly realized in practice. The challenge here is one for the whole community. It is acutely pressing on community leadership. To the end of assisting in this responsibility, we offer the following recommendations for a program of corrective action:

(1) Investigation of police brutality complaints by the Police department, itself, is an inherently wrong procedure. A citizen review board should be established for this purpose with authority and power to adjudicate complaints and to make binding recommendations to the head of the department. Any action on appeal from the board's decision should rest with the mayor.

(2) The hiring, placement and promotion policies and practices of the police department should be modified so as to eliminate race discrimination at all levels.

(3) The inservice human relations training program of the department should be based on sound democratic practices within the department itself and not mere teaching and instruction.

(4) The working conditions of police personnel, including salaries, should be improved, and a higher level of training required for employment.

(5) The major leadership of the community from the mayor on down should speak more often, forcibly, and clearer in support of democratic practice and the great need to obtaining the problem of police brutality and all other forms of police mistreatment of Negro citizens.

In conclusion, we think it is clear from the evidence, related materials, circumstances and conditions which we have cited and attempted to interpret here that there is an existence in Detroit a problem of unjustified police violence directed against Negroes. We have suggested that the practices described are indicative of a pattern in other sections of the country. It has been indicated further that the existing social climate permits and sanctions racial discrimination in all of its oppressive forms, and that some measure of police mistreatment and violence is a natural consequence of this climate. Finally, we have presented a number of recommendations which in a limited view are aimed at correcting the problem of police brutality. In the larger perspective, we hope that we may have contributed something that will help to hasten the day when it will not be necessary to hold a hearing of this kind anywhere in America.

Thank you for this opportunity.

SAMPLES OF COMPLAINTS FROM FILES OF THE DETROIT BRANCH, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

1. Type of case: Police brutality.

Date of report: July 8, 1958.

Name: Mr. Leroy Arnold.

Telephone number: Home, TY 4-4173; work, WO 2-1806.

Address: 3279 Virginia Park, Detroit, Mich.

Occupation: Porter.

Place of work: Van Boven Men's Clothing, 41 East Adams, Detroit.

Date of incident: July 7, 1958.

Approximate hour: 10 p.m.

(1) Bert Williams, 41 East Adams, witness.

(2) Harvey Hawkins, address unknown, TR 5-8032, witness.

Summary of case.—"While leaving the barber shop (Nail's Unique Barber Shop) at 336 Joy Road on above date, with Bert Williams (listed above), I observed a Buick patrol car pulling up. The car stopped and one officer (out of uniform) approached me. I was seated outside the barber shop on the step, waiting for Bert Williams who was closing up. This officer asked me to stand up. I stood up and after I did so, this officer struck me on the left side of my face. I don't know what I was struck with, but it cut the side of my face. The officer then ordered me to get into the patrol car and I did so. En route to the station, the officer who had struck me told me to shut up when I asked what I was being taken in for. Shortly after arriving at Petoskey Station, I was taken to Receiving Hospital. I received two stitches on the left side of my face near my eye. I complained of my shoulder hurting since I had fallen down after the officer struck me—but the attending physician told me that an X-ray wasn't necessary when I asked for one. I was locked up at 1300 Beaubien after leaving Receiving Hospital. (I was fingerprinted before the lockup.) I ascertained from one of the officers in the cell block that I had been charged with "drunkenness." I was held in the lockup until 9:15 this morning. Hearing was held in Judge Ricco's Court and case was "dismissed."

2. Type of case: Police brutality.

Date of report: November 3, 1960.

Name: Mrs. Lorraine Battle.

Address: 2836 Williams, Detroit.

Telephone number: None.

Occupation: Unemployed.

Date of incident: November 2, 1960.

Time: 5 p.m.

Others involved in case: Son, James Battle, age 17, student, MacKenzie High School, employed at Boys Club afternoons, Michigan at Livernois.

Summary of case.—Mrs. Battle's son left the house about 4:50 p.m., and was standing on the corner of Williams and Butternut talking to his sister and a friend, when a cruiser stopped. About 5 p.m., James' sister ran to the house shouting that an officer was beating her son. Mrs. Battle stated that she ran to the corner without shoes and saw an officer hitting her son over the head with a flashlight. She attempted to enter the car and one of the officers told her to get her "black———" out of the car.

Mrs. Battle, who is 7 months pregnant, stated further that one of the officers grabbed her by the collar from behind, hitting her in the face and stomach and knocked her to the ground. One officer called for assistance and about five cruisers answered. Officers were from the second precinct.

James Battle is being held in jail—charges unknown. According to Mrs. Battle, officers were trying to make son admit he and three other boys were guilty of a recent robbery.

3. Type of case: Police brutality.

Date of report: May 18, 1960.

Name: Kenneth Brookins.

Telephone number: TO 8-5737.

Address: 2098 Pasadena, Detroit.

Age: 15.

Occupation: Student (Durfee School).

Date incident occurred: May 16, 1960.

Time: 9:30 p.m.

(1) Miss Gloria Robertson, 2655 Pasadena, witness.

(2) Mr. Charles Monday, 2669 Pasadena, witness.

(3) Miss Brigett Ann Bridgewater, 2661 Pasadena, witness (TO 9-8771).

Summary of case.—Mrs. Brookins, Kenneth's mother, came to the office to make the police brutality complaint. According to witnesses, Kenneth was on his way home from the store carrying an unloaded BB gun. A scout car stopped and the officer told him that he was not to carry a BB gun in the street, and they had received several complaints from people in the neighborhood about broken windows caused by BB guns. Kenneth asked that the officers take him home and they told him that he was going to the juvenile home.

When the officers attempted to handcuff Kenneth, he began to kick and kicked Officer Abner Danto of the Petoskey Station. By this time Mrs. Brookins appeared on the scene and attempted to stop the tussle. Officer Danto ignored her and socked Kenneth in the eye with his fist.

Kenneth was taken to Receiving Hospital by the officers where he is still being held. The parents have not been able to see Kenneth because he is still under police custody even though he is still at Receiving Hospital. Mrs. Brookins cannot get any information about her son's condition from Receiving Hospital or Petoskey Station. Kenneth has been charged with resisting arrest and assault and battery toward a police officer. The officers involved were Abner Danto and Wesley Kelleman of Petoskey Station.

4. Type of case: Police brutality.

Date of report: April 28, 1960.

Name: Leonard Cargill.

Telephone number: TE 1-4939.

Address: 979 Farnsworth, Detroit, Mich.

Age: 14.

Date incident occurred: April 26, 1960. Hour 10-11 p.m.

Summary of case.—Mr. James Cargill, father of Leonard, came to the office with his son. Leonard was riding a bike with his friend, "Red." They were riding on Woodward near Wayne State University. A scout car containing plainclothesmen and one uniformed policeman stopped the fellows, pulled Red off

his bicycle and kicked him into the car. Leonard was also put into the car. A plainclothesman told Leonard to get up and let the policeman sit down, and Leonard had to sit on Red's lap. Leonard was hit in the head with a blackjack. They were taken to Woodward Station. They made Leonard stand behind the door. A policeman pushed the door against him and smashed him between the door and the wall. A detective came out and kicked him trying to make him say that he had stolen some clothes. Later, he was put into a cell. One policeman said, "I ought to shoot you, nigger."

Leonard was taken home at about 12 midnight. Leonard's father was never notified that his son was at the police station. Mr. Cargill was told to report to Woodward Station at 8 Wednesday morning. He did so and was told by the officers that "Red" was suspected of stealing clothes and he had escaped from a reform school. Leonard was accused of lying because he said that he did not know Red's full name. Leonard stated that he had only known Red for a week and knew very little about him.

Mr. Cargill said that Leonard's bicycle is being held at the police station until they find out whether or not it is a stolen bike.

Mr. Cargill wants to file suit against the police department because of his son's treatment.

5. Type of case: Police brutality.

Date of complaint: May 5, 1958.

Name: Mr. David Lawrence Mundy.

Telephone number: TE 2-1501; Cym; TE 3-9442.

Address: 201 East Alexandrine, Detroit, Mich.

Occupation: Fighter.

Place of work: Motor City Gym, C. W. Smith, promotor.

Date of incident: Saturday, May 3, 1958.

Approximate hour: 1 a.m.

(1) Miss Jo Ann Watkins, 60 Blaine, approached by one of officers.

(2) Douglas L. Jones, 80 E. Willis, witness.

(3) Willie Cannady, WA 4-1935, witness.

(4) Wallace Bouthit, TE 1-6924, witness.

(5) Willie Rookerd, TE 3-2559, witness.

Summary of case.—As related by Mr. Mundy: "Miss Watkins and I parted at Canfield and John R. She walked east on Canfield. I noticed four white men coming out of the Flame Show Bar and three of these men crossed the street, while the fourth man started walking behind Miss Watkins and began whistling at her and called out 'Hey baby, do you want to do some business?' Miss Watkins pretended not to hear and continued on her way. I walked back, stopped the man and asked him what he meant by making such remarks to Miss Watkins and went on to explain that she was my girl friend. He then asked 'Who do you mean, that "nigger" B_____ going there?' (About this time the three men with whom this man had been seen came running back across the street. One of these men attempted to get behind me. I told this man not to get behind me.) This first man continued talking and said that he didn't care if Miss Watkins was my girl friend. All of the officers grabbed me. The officer referred to as 'Bruno' jumped on my back—I threw him off. All of us were scuffling at this time and during the scuffle, one of the officers said 'You don't know who you're messing with—we're police officers.' I calmed down and one of them handcuffed me. They put me into an unmarked car—one officer at the wheel, one sitting beside him and an officer sat on either side of me in the back. En route to the police station all officers, except the one driving, struck me continually with their fists and called me 'nigger', 'monkey', etc. After we arrived at 1300 Beaubien, two of the officers threw me down in the elevator, kicking, hitting and calling me names. One of the officers had said, en route to the station, 'We'll give you something to tell the NAACP.' I was charged with 'accosting and soliciting'—court date May 7—placed on \$500 bond."

6. Type of case: Police misconduct.

Date of complaint: August 18, 1960.

Name: Mr. Winfield Seaborn.

Telephone number: TY. 7-4323; UN. 4-1334 (job).

Address: 4468 28th Street, Detroit.

Age: 47.

Occupation: Porter.

Place of work: Colony Shop, 10200 Livernois.

Date of incident: August 17, 1960. Time: 10:30 a.m.

Summary of case.—Mr. Seaborn stated that he was walking down the alley behind the Colony Shop as he usually does to get his morning coffee at the H & C Restaurant. While he was waiting for his coffee in the restaurant, the manager told him that a police officer was waiting for him. He went over to the door where the officer was standing, and the officer asked if he worked there. Mr. Seaborn said that he did not and he was only there to get coffee. The officer told him to go outside because he wanted to talk to him and Mr. Seaborn did so. The officer said that he wanted to search him and Mr. Seaborn asked that he be taken to a police station to be searched. The officer said that he was the smart kind and told him to put his hands up on top of the police car. Mr. Seaborn still insisted that he be taken to a police station to be searched. He was told to get in the squad car and to take his glasses off. The officer said, "Take your glasses off because someone might get hurt." When Mr. Seaborn refused to remove his glasses, the officer snatched them off. He then took Mr. Seaborn over to a police call box, made a call and asked if he had anything showing his name and Mr. Seaborn showed his driver's license. The officer then told him that he could go.

When Mr. Seaborn got back to the Colony Shop, he told Mr. T. M. Demery, his employer for 15 years, what had happened. Mr. Demery called Palmer Park Station and a couple of sergeants were sent out to talk to Demery who protested Mr. Seaborn's treatment. One of the sergeants asked Mr. Seaborn if the officer actually searched him. Seaborn said he did not. The sergeant said that the officer had every right to search him and that he would reprimand him for not searching him. He further stated that according to the police report, Mr. Seaborn looked suspicious and that an officer has every right to search a man on the street.

Officer involved: William Russell of Palmer Park Station, precinct 12.

7. Type of case: Police brutality.

Date of report: April 30, 1957.

Name: Mrs. Mary M. Stewart.

Address: 6041 Crane, Detroit, Mich.

Telephone number: WA 3-1649.

Occupation: Factory (Chrysler).

Place of work: Highland Park, Mich.

Date incident occurred: April 27, 1957. Approximate hour: 9:30 p.m.

(1) Cecelia Lewis, 664 Tennessee—VA 1-5933, witness.

(2) Mary Washington, 77 East Forest Avenue, witness.

(3) Charles Gordon, badge 235, policeman involved in beating victim.

(4) Ervin Coolsby, badge No. 501 (no uniform), policeman involved in beating victim.

(5) Marvin Illispee, badge No. 364, policeman involved in beating victim.

(6) Herbert Henchman, badge No. 1873, policeman involved in beating victim.

Summary of case.—As told by the victim, Mrs. Mary M. Stewart: "While operating my automobile on April 27, 1957, about 9:30 p.m., with two other ladies in the car (Cecelia Lewis and Mary Washington) I was stopped by a police patrol car while traveling west on East Jefferson. Three officers jumped out of the patrol car and one of them asked if I had a driver's license. I told him yes. He then asked whose car it was and I told him it was mine. He then ordered me to get out of the car. I hesitated long enough to turn off the switch and apply my emergency brake, but before I could remove my key from the ignition this same officer snatched me from the car and struck me several times about the face and shoulders. The other two officers held my arms and held me by the hair while this officer continued to beat on me with his night stick. After the beating, I was then thrown into the back seat of the patrol car and taken to McClellan Street Police Station. The desk sergeant suggested that they take me to a hospital and he asked me what happened. When I told him he and the other officers began laughing. I was taken in the police wagon to Receiving Hospital. I was given an injection and three stitches were put in my lower lip. I was then taken to the Women's Division of the prison at 1300 Beaubien and was held until 4 p.m., Sunday, April 28, on the charge of drinking and reckless driving. At the hearing in Traffic Court on Monday, April 29, the case was suspended."

8. Type of case: Police brutality.

Date of report: June 29, 1960.

Name: Mr. Joseph Terry.

Telephone number: TE 2-3669; LO 8-0701.

Address: 1106 Selden.

Age 17.

Date incident occurred: June 25, 1960. Time: 3-4 a.m.

Summary of case.—Mrs. Odell Terry reported to the NAACP office that her son, Joseph; her nephew Ossie Tate (19) and Will Adams (21) were driving on John C. Lodge when a police car pulled alongside of them and asked them to pull over. They did so and a cab driver who was in the scout car said that Ossie looked like the fellow who robbed him. Joseph Terry was asked to unlock the trunk of the car. As it was taking Joseph too long to open the trunk, an officer told him that he was being smart and began to hit him. He broke Joseph's jawbone and three fingers. Joseph is now in Receiving Hospital. The officers took all three fellows to Woodward Station. Will Adams stated that the officers did not bother him. Ossie stated that he attempted to stop the officers from beating Joseph and he was knocked unconscious. Ossie and Joseph were booked for armed robbery.

On Tuesday, June 28, Ossie, the cab driver and a detective appeared before Judge Davenport in Records Court. The cab driver stated that Ossie looked like the fellow who robbed him but he could not be sure, so he couldn't press charges. The charge for armed robbery was dropped and the fellows were charged with resisting arrest.

When Joseph is released from Receiving Hospital, the group is to appear again before Judge Davenport. No warrant has been issued and Ossie was released on his promise that he would return when the group is called for another meeting.

9. Type of case: Police brutality.

Date of complaint: October 7, 1960.

Name: Famous L. White.

Telephone Number: WA 1-5002.

Address: 6403 Iroquois, Detroit.

Age: 35.

Occupation: Cabdriver.

Place of work: City Cab Co.

Date of incident: October 6, 1960, Thursday (Woodward at Edmund Place). Time: 2:30 a.m.

Summary of case.—The complainant was driving on Woodward and noticed three men beating a Negro. He stopped his cab, not knowing they were policemen, to aid the Negro. When he asked what was happening, he was told "None of your business—move on." Complainant returned to his car and parked it, followed the officers and the Negro up the street. When he reached them, they turned on him and a fight ensued. Complainant admitted knocking out one of the officers. A passing cruiser was hailed and complainant was taken to police headquarters where he was beaten by officers in the station and jailed overnight. He was released on personal bond. Court date: October 11, 1960.

Complainant stated City Cabdriver No. 47 witnessed part of the incident.

NOTE.—On day complainant appeared in office, his eye was bloodshot, swollen, and black and blue, one tooth missing and two loose, and his lip was cut.

Chairman HANNAH. Mr. Tiffany, will you call the next witness?

Mr. TIFFANY. Mr. Joynal Muthleeb, who is a former officer of the police department of the city of Detroit.

Vice Chairman STOREY. Will you hold up your hand and be sworn, please?

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MUTHLEEB. So help me God.

Vice Chairman STOREY. Have a seat, sir.

Chairman HANNAH. Mr. Muthleeb, it is my understanding you are here in response to a subpoena issued by this Commission. We would appreciate it if you would make your statement in whatever way you see fit, and then if the Commissioners have questions we would like to address them to you.

TESTIMONY OF JOYNAL MUTHLEEB, FORMER OFFICER, DETROIT POLICE DEPARTMENT

Mr. MUTHLEEB. Well, first of all, the paper that I have written for the Commission here covers five points:

(1) Brutality against Negroes as far as the Detroit police is concerned; (2) discrimination by the department against Negro police officers; (3) discrimination on the part of the police as to the rights of Negro citizens in the city of Detroit; (4) the attitude of the police regarding antidiscrimination laws and my own personal experience in this area; and (5) my general reflections on the policy of containment.

Now, before I start into this, I understand I have a 10-minute limit—

Chairman HANNAH. Right.

Mr. MUTHLEEB. And I have got a lot to say in 10 minutes, and if it would please you I would like to read as much as I can because I might lose some of the effectiveness of the—

Chairman HANNAH. Go right ahead, sir.

Mr. MUTHLEEB. All right. First of all, you know my name, and I have been a police officer for 10 years, and presently I am teaching for the board of education, working on a master's degree in special education. Now, first of all, one of the cases of brutality toward Negro citizens that I actually saw as a police officer was in 1953 when the 13th precinct cruiser crew brought in a Negro prisoner who was handcuffed with his hands behind him. Four white members of the cruiser crew were mauling the prisoner and kicking him toward the desk where the lieutenant was to hear the facts of the case. As the prisoner was pleading with the officers to stop beating him, one of the officers took his blackjack and repeatedly hit the prisoner on the head until blood was spattered on the lieutenant's white shirt, and he was sitting behind the desk, and on my shirt—I was just giving the lieutenant a report—and the lieutenant told the arresting officer to "lock him up before he ruins my shirt."

Now, so much for the police brutality. As a police officer, I have seen it. I know it exists. So, therefore, I don't think there is a problem as far as knowing the Detroit Police Department does use brutality against Negroes. Now, in my personal reasons for not issuing a complaint during the time I witnessed several police bru-