

JUL 8 1965

CCB 3047

DETROIT POLICE DEPARTMENT

INTER-OFFICE MEMORANDUM
FIFTH PRECINCT

July 7th, 1965.

Date

To: Deputy Superintendent.

Subject: COMPREHENSIVE REPORT RELATIVE TO FATAL SHOOTING OF JAMES SABRA, SR. 53/m/n, OF 3517 LEMAY AND INJURY TO PATR. DONALD BRAUN, BADGE #2006, OF THE FIFTH PRECINCT, RECEIVED THROUGH POLICE ACTION.

On July 5th, 1965, at approximately 5:35 PM, Patr. Donald Braun, Badge #2006, and Patr. Felix Banach, Badge #1107, of Scout Car 5-10, responded to a radio run at 3517 Lemay, "Family Trouble."

In the rear yard at 3517 Lemay, the officers observed James Sabra, Sr., 53/m/n, who was armed with a hunting knife with a blade approximately four inches long, and his son, James Sabra, Jr., 33/m/n, both of 3517 Lemay, who was armed with a long two tined barbeque fork, arguing and threatening each other. The officers talked with the two men and they finally put down their weapons.

As the officers were about to leave, both men again picked up their weapons and continued the argument. Patr. Braun, sensing trouble, instructed Patr. Banach to call for assistance. Patr. Braun got in between the two men until his partner returned from calling for assistance.

Patr. Charles Norton, Badge #2557, and Patr. Gregory St. Peter, Badge #1121, of Scout Car 5-6, responded to the scene in answering the call for assistance. The officers went to the rear yard and observed Patr. Braun standing just out of the reach of James Sabra, Sr., who was threatening the officer with the knife. Patr. Banach was standing just out of the reach of James Sabra, Jr., who was threatening Patr. Banach with the fork. Patr. Norton ordered Sabra, Sr. to drop the knife and when he refused, Patr. Norton attempted to disarm Sabra Sr. and struck him on the side of the head. The blow caused Sabra Sr. to reel and at that time, Patr. Braun grabbed his right arm in an attempt to get the knife. Sabra Sr. broke from Patr. Braun's grasp, causing a slight cut and various scratch marks on the right arm of Patr. Braun. Sabra Sr. then turned and started at Patr. Norton and Patr. St. Peter, and was joined by Sabra Jr. who had the fork in his hand. As Patr. Norton and Patr. St. Peter backed away from the armed Sabras, they repeatedly ordered both men to drop their knife and fork. When they failed to do so, the officers drew their service revolvers. Both officers were backed up approximately fifteen feet with their backs against a gate. Sabra Sr. was about three feet away from Patr. Norton and about to swing his knife and Patr. Norton fired one shot from his service revolver which struck Sabra Sr. in the chest and he fell to the ground. At that time, Sabra Jr. was grabbed by Patr. Braun and Patr. Banach.

Patr. William Bell, Badge #1778, and Patr. Gary Boiger, Badge #300, of Scout Car 5-5, arrived at the scene. Patr. Bell removed the knife from the right hand of Sabra Sr. as he lay on the ground and Patr. Boiger assisted in handcuffing Sabra Jr.

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Patr. Norton and Patr. St. Peter then placed Sabra Sr. on a stretcher and into their Scout Car. Sergt. Edward Hyduke, Badge #S-89, and Sergt. Chester Kruszka, Badge #S-91, arrived on the scene. James Sabra Sr. was conveyed to Receiving Hospital by Scout Car 5-6 where he expired at about 8:00 PM. Patr. Braun later was treated at Receiving Hospital, first aid, for the cut he had sustained on his right arm.

Inspt. Paul Sheridan, Commanding Officer of the Fifth Precinct, C.I.D. Control Center Inspt. Joseph Nufer, Homicide Det. Lieut. Albert Schwaller, Det. Lieut. Yanik, Det. Arthur Szatkowski, and Det. Donald Elias of the Fifth Precinct C.I.D., all were notified of the above.

The following persons were conveyed to the Homicide Bureau where longhand statements and later formal statements were taken from them by Assistant Prosecuting Attorney Max Silverman: Marvin Brantley, 48/m/n, of 2732 Virginia Park, Emma Bennett, 33/f/n, of 900 Collingwood, and Earl Burnette, 40/m/n, of 3523 Lemay. Statements were also taken at the Homicide Bureau from Patr. Braun, Patr. Banach, Patr. Norton, Patr. St. Peter, Patr. Bell, and Patr. Boiger.

The following evidence is held at the Homicide Bureau: a four inch blade hunting knife on Tag #540032, a barbecue fork on Tag #540656, five live and one spent .38 Caliber Cartridges on Tag #540033.

On July 6th, 1965, Warrant #A-125687 was obtained charging James Sabra Jr. with Felonious Assault. Patr. Gregory St. Peter is the complainant. The arraignment was heard on July 6th, 1965 in Records Court by Hon. Judge Brennan. Bond was set at \$3,000.00 and two sureties and Examination was set for hearing on July 20th, 1965.

From my investigation of the entire occurrence, it is my opinion, that Patr. Norton's use of his revolver was justified. Patr. Norton's life and that of his partner, Patr. St. Peter, were being threatened by James Sabra Sr. and James Sabra Jr. and these men had no intention of relinquishing their weapons and submitting to arrest. I found that the officer did not act in haste but gave James Sabra Sr. every opportunity to drop his knife and only as a last resort when it was very apparent that his life was in great danger did Patr. Norton fire his revolver. Due to the above stated facts, I recommend no action be taken against Patr. Norton.

Paul Sheridan

Inspector Paul Sheridan
Commanding Officer Fifth Precinct.

copies: Deputy Superintendent (2)
Detective Dist. Inspt. E.S.
Citizen Complaint Bur.
Eastern Dist. Inspt.