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Michigan Civil Rights Commission

MEMORANDUM

C. R. C.

Date February 19, 1968

TO: Mr. Burton I. Gordin

FROM: Mrs. Vivian Pope

RE: Police Harrassment

As directed by the Commission Co-Chairmen on February 6, 1968, and assisted by Mrs. Sue Wesson of the Public Information Division, I have made contacts with many different individuals, groups and agencies in the Negro community in an effort to determine the extent and nature of police activity, especially since July, 1967. Among those persons contacted were Edward Vaughn, Executive Director of the CCAC, Dr. Karl Gregory, Executive Director of the Federation of Self-Determination, Attorney Henry Cleage, of the Neighborhood Legal Services, Rev. Willis Tabor of the Presbyterian Headquarters, Robert Tindal of the NAACP, Messrs. Donald Bagley and Kenneth Cockrell of the North-Woodward Interfaith Council, Leon Atcheson, Administrative Assistant to Congressman John Conyers and Al Dunmore, Managing Editor of the Michigan Chronicle. The consensus of opinion of all of the persons contacted with regard to the issue of police brutality, harrassment, etc. in the ghetto was that there is no doubt but that it has been on the increase since the July uprising in the city of Detroit. This is an unquestioned fact known to virtually every Negro citizen in the City of Detroit. Mrs. Wesson and I found, however, that getting even the simplest documentation was not as easy as we had expected. We found that police actions such as stopping, frisking, verbal abuse, and harrassment have become so commonplace as to be expected by much of the Negro citizenry. Reports of these incidents, however, are not being formally made to these agencies which have the responsibility in this area due to the growing lack of confidence in and disenchantment with the results of previous complaints. Some of the comments we received were, "The policeman's superior officers are unable to handle him," "No one really wants to do anything about the situation," "The DPOA is actually running not only the police department, but the city of Detroit," "Why do you need documentation when everyone from Cavanaugh all the way down is aware of the situation and making no attempt to remedy it." Therefore, just as whites are arming themselves against a feared onslaught by Negroes, Negroes are arming themselves against the brutality of white policemen. Those with whom I have had contact indicated to me that there is no desire or intent to precipitate any sort of uprising. However, I have heard over and over again that black people do not intend to sit back and be "sitting ducks" for some sick policemen itching to try out new equipment. Therefore, they feel that it is essential in the interest of self-preservation that they be prepared for the inevitable onslaught that the Detroit policemen are even now preparing for with the sanction of everyone from the mayor on down.

Leon Atcheson informed us that Congressman Conyers office had been receiving many complaints; however, due to the fact that nothing is really being done about them and the people have become aware of this, they are receiving fewer formal complaints of harrassment, intimidation, brutality, etc. Karl Gregory informed us that the FSD has generally steered away from handling this sort of thing because of their knowledge that it is a time-consuming venture which produces no tangible results. We received responses of this type over and over again.

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Kenneth Cockrell of the North-Woodward Interfaith Council went even a bit further. Mr. Cockrell stated that the CRC has no base of power upon which to demand changes. He stated that therefore, the CRC is powerless. He went on to state that the DFOA does have the power base and for this reason the MCRC will be able to accomplish nothing with regard to the Detroit Police Department. Mr. Cockrell went on to inform us that he feels that if the Commissioners are truly concerned regarding this problem, they will come to the community with this concern, acknowledging their powerlessness and creating an awareness in the people. He feels that this is one way the CRC can achieve a power base and he stated to us that he would like an opportunity to meet with the Commission to further expand on this idea.

I would like to, also, state that in addition to the feeling that nothing can be done with the Detroit Police Department, we encountered the fear of reprisal, retaliation by members of Detroit's Finest. It is common knowledge in the Negro community that retaliation by members of the Detroit Police Department is indeed a fact.

I would like to state at this point, that the cases listed below are only a sampling. For every case here, there are literally hundreds unreported.

Residents in the Northwest area of the city, more specific, the area bounded by Fenkell, Six Mile, Wyoming and Livernois have become extremely concerned with regard to the harrassment of the teenagers in the area by the police department. On December 26, Mrs. Sarah Foley filed a complaint at the Palmer Park Precinct. Mrs. Foley and others have informed me that since this complaint was filed, it appears that the police have become even more flagrant with regard to their treatment of citizens and teenagers in the area.

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On January 23, Miss Gwendolyn Warren, 16615 Washburn, was stopped by police as she was walking down Marygrove at approximately 10:30 in the evening. According to her statement, a police car pulled up to her and called her a "black bitch" asking where she was going. Subsequently, this 17-year-old child was hit in the stomach with a nightstick and told by one of the policemen that he did not want teens in this area to tell him how to run their business. The remark, also, was made to the effect that the policemen would be looking forward to another uprising this summer.

On January 23, Robert LaMarr, 15820 Wisconsin, was on his way to the store at approximately 5:30 p.m. He was stopped enroute by two policemen asking his name and address. One officer informed this teenager that he could not believe him and that if he were a little bit older and lying, he would kick "hell" out of him.

Barrell Rainer, 16553 Ohio, reports that in the month of January, he was stopped by police at about 1:30 p.m. on a Saturday. He states that he was in a phone booth attempting to make a telephone call when two tactical mobile units came up, parked in the doorway of the phone booth in full view of everyone, and threw everything in his pockets on the ground. Subsequently, they put him into the police car, asked him many questions regarding school etc., and also, asked him if he had ever been in jail.

When he answered in the negative, Barrell was taken to the Schafer Precinct, placed in a cell for a very short period of time and released after police had first photographed him and typed up additional information regarding him. Barrell who is 15-years-old, also, reported that for a couple of nights, the police would jump out of the alley near him and search him.

Eric Garrett, 16580 Ohio, is 16-years old and reports that on January 5, he was actually stopped and frisked by police officers three times in one day. Twice by the same officers. The first incident happened on Ohio and Florence as he was coming home from Cooley High School with his books at about 4:15 p.m. At this time, officers stopped and frisked him wanting to know if he had any weapons on him. On that same date, at around 7 p.m., the same officers again stopped him and searched him and then stated, "we have already talked to this Nigger." Again on January 5, at around 10:30 p.m. while on his way home from a job which he holds at a grocery store, Eric was stopped and frisked by different officers and was told to "get the hell off the street."

Tyrone White, who lives at 16260 Wisconsin, reports that on February 2, he was brought home in a car by two white friends at about 12:30 a.m. from a ballgame. Tyrone who is 16, and his friends were stopped in front of his home and questioned and when these white boys drove off down the street, they were stopped again by the same police officers, given a ticket for having defective lights and the white boys were told to "stay out of this area."

Mrs. Christine Rainer, the mother of the 15-year-old Barrell of 16553 Ohio, reports that earlier in the year as she was coming home from work (the Chrysler Corporation, one evening, she was driving home,) and she was stopped by police who said to her "Old Whore, where are you going." She responded to them that she was no whore and gave them her name telling them that she was just getting off from work. The police in question stated to her that ladies don't work this time of night. Mrs. Rainer reports that again before she could get home another policeman stopped her, asking her where she had been.

Mrs. Ruth Waugh, 16204 Ohio, reports that shortly after Christmas when her son, Morris, 15, was on his way to Cooley High School one morning, police stopped and frisked him. Subsequently, on January 7, a police officer came to her house with a notice that she should bring her son, Morris, to Palmer Park Precinct because he was a suspect in a rape. The next day, Mrs. Waugh reported that she took her son into Palmer Park and that the policeman there looked at him and told her that she could take him home, that he was not the boy they wanted. The day following this incident, Mrs. Waugh received a telephone call early in the morning from a Sgt. Sullivan of the Schafer Precinct. She was again asked to bring her son, Morris, to the precinct. Again, Morris was a rape suspect. When Mrs. Waugh got her son down to the Schafer Station, she was told that he was not tall enough to fit the description of the rape suspect, his hair was a different grade, his features were not similar nor was his coloring similar; but that otherwise, he fit the description of the rape suspect. Mrs. Waugh informed me that all of this was a factor in her decision to send her boy away to a boarding school in the south. She felt that all of this was emotionally damaging to Morris and he is now away from Detroit in boarding school.

The parents in this area of the city report that all of the teenage boys, particularly, are very much afraid of the police and that many, many of the boys have been frequently stopped and frisked right in the street.

One parent reported to me that in order to keep her son from being harrassed by policemen, she takes him to school every morning. We were informed that it is difficult to determine in the area in question whether the cars are assigned to the Palmer Park Precinct or the Schafer Precinct because the police cars are apparently even crossing the precinct boundaries. We were informed that badges frequently, are not in evidence and that they are under the jackets.

In addition to the complaint filed by Mrs. Foley, December 26, four of the area teenagers filed complaints, also. They were Charles Wilson, Morris Waugh, Gwendolyn Warren and Willie White. This complaint was filed with the Lieutenant on duty shortly after 5 p.m. The basis of the complaint was the harrassment by police officers of the teens in the area. The teens were told that it was not necessary for them to sign the complaint. That same night after the complaints were made by Mrs. Foley and the children, the police returned to the children's club, The Inferno Burger, Cherrylawn and Puritan, at approximately 7:30 p.m. There were the four teenagers present in addition to several adults. The officers stated that they had a call that some members of this group, The Infernos, were outside on the sidewalk harrassing white teenagers as they passed by. This was untrue and it was pointed out that the weather on December 26 was not inducive to standing outside harrassing anyone. In spite of the fact that complaints have been filed with the precincts, meetings have been held in an attempt to reach some understanding between the police and the citizens, harrassment of the citizens by the police has become even more noticeable. One of the parents have even been subjected to threatening telephone calls which she is quite certain is being made by members of the police department. White residents in the area have been told by members of the police department that they should move away from the area.

The above cited incidents are all from residents residing in the Northwest area of the city. Residents in other areas of the city, however, are also, being subjected to harrassment by the police department. It is not at all uncommon for policemen to stop men and place them in the spread eagle position against the outside of the car while they search them. Racially inflammatory remarks are not at all uncommon.

Charles Moore of 16630 Griggs was outside of his car, a 1966 convertible Cadillac, on January 22, 1968, when stopped by members of the tactical mobile unit. He was informed that his car fit the description of one used in a bank robbery that day and was told that the officers wanted to search both his person and his car for dangerous weapons. Mr. Moore, who by the way was also a witness in the Algiers murder cases, reports that he told the officers that he did not want to be searched in the street and would rather be taken to the police station. The officers became angry and told him "You think that we don't have anything else to do but ride your black ass from here to the station? As far as we are concerned, you are a dirty, rotten black ass, no good Nigger and we are going to search you now whether you like it or not." The officers began beating there, placed him in the squad car and while beating him they said "We searched you didn't we, Nigger?" repeatedly. They also informed Mr. Moore that "YOU think you folks are going to take over the city, but when the riots starts, we are going from street to street and house to house and kill all of you niggers." It was necessary for Mr. Moore to be treated at Receiving Hospital and he was, also, charged with resisting arrest, on January 23. In February, he received a notice in the mail of another ticket for this incident citing him for failure to show his license to a uniformed officer on demand. Mr. Moore states there were many witnesses to the entire incident which he can produce. He filed a claim with our Commission on February 16.

Another case in which there is a pending claim is that of Kenneth Johnson, 5922 Vermont. Mr. Johnson reports that on January 1, 1968 at around 10 p.m., he was stopped at Mack and Seminole by policemen and told that his car fit the description of that used by a rapist. Mr. Johnson was frisked in the street and during the frisking, a portion of his pocket was ripped. When he made some comment regarding this, one of the officers threw him on the trunk of the car and began beating him. Five citizens saw this and asked the officers to stop beating Mr. Johnson, whereupon one officer threw Mr. Johnson on the ground between the cars and the other officer threw his gun on the witnesses telling them this was none of their business. Mr. Johnson reportedly was called a "black bastard" by the arresting officers and beat again in the parking lot of the Fifth Precinct.

Another case in which there is a pending claim is that of Fred Bayless, 4022 Elmhurst who reports that he was stopped for a traffic violation on December 23, 1967. He gave the officer his Operator's License and while he was looking for his Registration, the officer left to write him a ticket. The officer, subsequently, wrote Mr. Johnson two tickets, one for having no Registration which Mr. Bayless protested because he did have his Registration there in his possession. The officer thereupon threw both tickets on the ground and drove away. When Mr. Johnson went to the Tenth Precinct to complain of this, the Lieutenant on duty said "You people are always thinking that the police are prejudiced." The Lieutenant called the officer in question in and the officer called Mr. Bayless liar in the presence of his superior officer. Mr. Bayless went back to the Tenth Precinct on December 27, and saw Inspector Smith ^{who agreed} to nullify the ticket for not having his Registration, and told Mr. Bayless that this Officer Day had never had any reprimands made against him. Mr. Bayless is concerned because the Inspector made no notes of this incident either and so Officer Day will never have any reprimands in his file.

Rev. Raymond Butler, 19964 Cherrylawn, was stopped in the afternoon of November 25, and told that he fit the description of an armed robber. He was frisked and asked if he had any weapons. He was, subsequently, released without being taken into the precinct.

Keith Sumerville, 19415 Omira, was searched on September 17, 1967 on Webb and called names by the police. Mr. Sumerville went to the Tenth Precinct to file a complaint and while there was arrested for having outstanding tickets. While being arrested, he was beaten by police officers and charged with resisting arrest and obstructing an officer in the course of his duty. Mr. Sumerville has apparently learned that he should not go to the police station to file a complaint against an officer.

Mr. Walter Hodo, 11750 Brown, September 19, went to the Tenth Precinct to file a complaint against a white citizen who reportedly had pulled a gun on him. He was sent from the Tenth Precinct to the Twelfth Precinct where he talked to the detective who appeared to know the white citizen against whom Mr. Hodo was filing a complaint. The detective told Mr. Hodo to return in the morning of September 20. On September 20, when Mr. Hodo returned at approximately 10:30 a.m. and was told that it was too late to file a complaint and that he should return again on September 21. Mr. Hodo, who was most upset, went to the Prosecutors office where an appointment was set up for him to return to the Twelfth Precinct at 10 a.m. on the 21st. Mr. Hodo went to the Twelfth Precinct at 10 a.m. on the 21st and was told that he was too late because the appointment made by the Prosecutor had been for 9 a.m. He was then given a September 26 appointment for between 8 and 9. He apparently had persevered enough to file his complaint.

Mr. Joe L. Metts, 7744 Palmer, reports that on December 6, 1967, he was in the 3700 block of McDougall with three ladies in his taxi when the police car pulled up to his car saying, "Boy, pull that cab over." He was asked for his identification and given a ticket for obstructing traffic and was told that "Nigger, next time I ask you to pull that cab over, you do it." Mr. Metts made the comment that this is the very reason why there is so much unrest between the Negroes and the police department, at which point the officer became angry and called him a "dirty, rotten Nigger" and told him to "get out of the cab," and Mr. Metts was subsequently beaten with the three women who were his passengers as witnesses. Mr. Metts, incidentally, was convicted of assault on a police officer.

Mr. Charles Moore, 16630 Griggs, who reports another incident in this paper, has also reported that on September 3, 1967, he was stopped at approximately 12:45 on a Sunday morning, by police in a car with 1966 license plates, 65250 was the plate on the police car. He was told that time also that his car fit the description of one that had just been involved in a holdup. He was placed in the back of the scout car and when he expressed resentment of this, he was told by the officer that "he could not care less what a Nigger thought." Mr. Moore reports that the officer also said to him "Nigger, your nose is flat, your lips are thick, your hair is kinky, your face is fat like an ape and you're a black no good Nigger." Mr. Moore is "certain that the officers in question will always deny charges of this sort, that nothing will ever be done about them but he does feel that someone need to have an awareness about these things that are going on in the city of Detroit." He did not file a formal complaint with any agency regarding this incident.

Mr. Nathaniel Ellens, 8098 Sprague, has reported to us that on February 12, 1968, he and approximately 50 to 60 other neighborhood people observed a situation in which police officers stopped a 15 year old boy identified as Willie Shields, a student at Barbour School. Willie Shields was supposedly driving a stolen car. The policemen rushed up to the car with their guns drawn, pulled the boy out by his coat and proceeded to beat him. The neighbors became so outraged by this that Mr. Ellens reports that he had to personally restrain several of them from going back into their homes for weapons. They were so upset at this unnecessary brutality that they were prepared to attack those police officers then and there.

On January 4, 1968, Henry Clay, 1196 Selden, a 17-year-old student at Mumford High, who was also, Class President and Leader of the Debating Team in addition to being an honor student, was stopped by the police while on his way to school at approximately 8 a.m. Henry was approximately 1 1/2 blocks from Mumford High School at this time. The police told him that he was a suspect in a rape case and frisked him prior to taking him to the First Precinct. When Henry requested that the officers check the school by calling the principal of Mumford, the officer laughed at him and remarked "so you're one of those smart Niggers." The police subsequently, refused to either let Henry call his school or his mother until approximately 11 a.m. Henry's mother, Mrs. Clay, is in addition to being blind, a cardiac patient receiving Social Security Benefits.

Mrs. Clay reports that after she received the call from her son, she phoned friends who were able to take her to the police station. Upon arriving at the police station, she was treated extremely discourteously, suffered a seizure and fell to the floor. Police officers ignored her request for assistance and let her lie on the floor for some time. Mrs. Clay's friend was unable to lift her alone and she continued to lie there until one officer agreed to help her. However, he exercised such great force that Mrs. Clay received bruises which are still on her arm.

Clay, who is blind asked for a glass of water, after this and was told by an officer that she could get it herself. Mrs. Clay reports that her son bore no resemblance to the man who was supposed to be the rape suspect.

Henry Clay reports that on the Sunday following this incident, he was standing on Woodward Avenue near People's Community Church where he was to participate in a debate and police again stopped him and frisked him, telling him this time that they were looking for a purse snatcher.

Gregory Timmons, 1340 Frederick, report that on February 12, at approximately 10 a.m. police officers picked him up right in front of his house, telling him that they were looking for a boy in a black coat who had been involved in a robbery. Gregory had on a black coat and he therefore, supposedly fit the description of the suspect. Even though Gregory was in front of his house, the officers made no attempt to contact his parents. Gregory was placed in the car, where one of the policemen began hitting him in the mouth and about the head. Nothing more was said about the robbery or about his alleged involvement in it. He was not taken to the police station but rather was driven two blocks from his home and released. He was subsequently treated by his family physician for cuts and bruises.

Paul Jackson, 5334 Linsdale, reports that early in January, 1968, he was stopped by two plainclothesmen on Woodward near the Roxy Theatre. The officers placed him in the car and began asking him questions about his destination. Mr. Jackson wears a natural haircut and officers proceeded to ask him questions about the current racial situation in Detroit, asking him for his personal opinion regarding planned events. They asked him what he knew about the riot plan for this coming summer. Mr. Jackson reports that the officers also asked him to give his personal opinion about what he thought would occur in Detroit. Mr. Jackson reports that the officers had a very hostile attitude and used a threatening tone on him. Seemingly satisfied with his answers, they drove him to Broadway and let him out of the car. Mr. Jackson noted that after they let him out they picked up another black man and placed him in the car.

Mr. Shelton Tappes, a black, International Representative for the UAW has reported that on February 3, at approximately 4 a.m., he was stopped by police officers on Linwood, west of the Boulevard. The one officer began questioning him about the one tail light on his car which had been damaged the previous day. In spite of the fact that Mr. Tappes showed the officer an appointment slip from a garage where he was scheduled to have the light fixed at 8 a.m. the next morning and also in spite of the fact that both tail lights were still operating with only a small amount of the red glass cover on one light damaged, Mr. Tappes was ticketed for defective taillights. Mr. Tappes states that he then got back into his car, drove two blocks further where he was stopped again by the same officers. This time the officer stated that he had stopped Mr. Tappes for making unnecessary noise with the motor of his car, a late model Lincoln Continental. We would like to state at this point that it is not unusual for Negroes driving expensive cars to be followed and stopped and ticketed by white policemen.