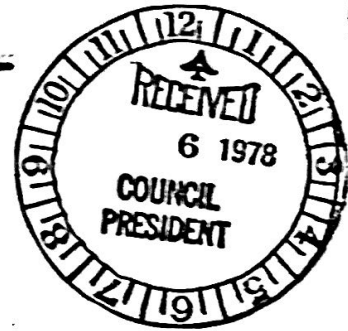


TO: MY COLLEAGUES - - - FOR YOUR INFORMATION
12/8/78
FROM: ERMA HENDERSON ~~November 27, 1978~~



Police Chief William Hart
Police Headquarters
1300 Beaubien
Detroit, Michigan 48226

Dear Police Chief Hart:

This letter contains complaints which I would like to bring to your personal attention.

I was in The Honorable Judge Samuel Gardner's courtroom on Tuesday, October 31, 1978, at which time Attorney Elliott Hall and the Prosecutor asked that an order be issued for the Police Department to return my property. However, both Attorney Hall and the Prosecutor failed to explain the circumstances as to how and why the Police Department came into possession of my property.

That, Sir, is what I personally am attempting to do. The chain of events surrounding this complaint are as follows: I am the owner of two record shops (one is located at 7631 W. McNichols, Dynamic Music Center; the other is located at 15030 Wyoming, Fleetwood Music Center, City of Detroit).

On or about the 10th of October, 1978, my wife, Barbara Burns, and my 17 year old nephew were conducting business at the store located at 7631 W. McNichols when seven police officers from the Narcotics Division entered the store and searched the premises, and at the same time destroyed valuable merchandise, took money out of the cash drawers, took record albums and 8-track tapes, as well as several pieces of costume jewelry out of the store. At the same time they arrested my nephew and charged him with "conspiracy." I was later informed that the merchandise and other items that were taken out of the store were being "confiscated for evidence." NO NARCOTICS OR ANY OTHER FORM OF DRUGS WERE FOUND.

Further, since no narcotics were found at the W. McNichols location, the same group of police officers came to the shop located at 15030 Wyoming (I was conducting business at this location) and entered the store. Upon entering, the police officers began pushing, shoving, and slapping my customers around. Not once did they identify themselves as police officers. There were four white and two black policemen, and one white policewoman. One of the black officers asked me for the keys to my private office. I asked him to show me his Search Warrant, after which time I would hand over the keys. He told me that he had left the Warrant in the car but that he would go and get it. Whereupon he returned with an axe. At this time I could see that he was going to "chop" my office door down as he was walking toward the office.

Therefore, I gave him the keys. He entered my private office and searched it thoroughly. Still, he found NO NARCOTICS OR ANY OTHER FORM OF DRUGS. The group of police officers remained in my store even though, as I have mentioned above, they DID NOT FIND ANY NARCOTICS.

(CONTINUED)

November 27, 1978

Police Chief William Hart

Instead of leaving my store, they went into the showcases taking cartons of cigarettes, cigarette papers, jewelry, record albums and 8-track tapes, sunglasses, boxes of candy, black light bulbs, my shot gun, my rifle, my television set, my component set, and an adding machine. The one white policewoman stood in front of the mirror trying on several different pairs of sunglasses until she selected the pair she wanted. She then kept that pair on. I asked her, as well as the other officers, why were they taking my merchandise. I was told that they were taking these items as "evidence." Then an officer slapped a pair of handcuffs on me. When I asked him why was he taking me to jail, and what were the charges of the arrest, he replied that I was too Goddamned smart. I was held at Police Headquarters for approximately two hours. Someone informed me that there was a telephone call for me at the Lieutenant's desk. The switchboard operator gave me the phone; the call was from the Lieutenant at the 14th Precinct. He informed me that my shop had been broken into and that I should hurry on over to the 14th Precinct.

After causing me a great deal of needless anxiety, embarrassment, and harassment, I was released -- "after the fun was over."

When the officers arrested me from the Wyoming store, they left my shop open and would not allow me to lock up or secure the place in any form. When the same group of officers had arrested my nephew at the McNichols store, my wife begged and pleaded with them to allow her to lock up or secure that store. Upon snatching the Michigan Sales Tax License off the wall, they showed this document to my wife and told her that they were "closing the store down." They told her to drive away as there was no reason for her to stay there any longer.

Police Chief Hart, I would like for you to know that this act of lawlessness including the malicious damage that was done to both my stores, and the loss of valuable merchandise that was taken by the police officers as well as that taken by the opportunists who saw a chance to "rip-off" unlocked stores, cost me approximately \$6,000. To date, I still have not picked up my merchandise because as yet I do not understand why I was ever subjected to this type of mistreatment.

Therefore, I would like to respectfully request that an investigation be conducted to determine and show cause as to why the police officers were not presenting themselves as professionals acting within the law. Also, I would like to know why the officers were on my property to search it in the first place as I was never shown a Search Warrant. Further, I would like to know why they found it necessary to arrest me as they could not even charge me with a traffic violation.

I am sixty-five years old and have been in business since 1965 in the City of Detroit.

(CONTINUED)

November 27, 1978

Police Chief William Hart

Any information that you could furnish me with regarding this matter would be most appreciated as I would like to be given the opportunity for fair consideration in my behalf, and hopefully restitution can and will be made.

Sincerely, *Tommy Burns*

Tommy Burns, Proprietor
Fleetwood Music Center and
Dynamic Music Center

CC: Honorable Mayor Coleman Young
City of Detroit-City County Bldg.
2 Woodward Avenue-Room 1126
Detroit, Michigan 48226

Honorable Judge Samuel Gardner
Recorder's Court
Frank Murphy Hall of Justice
1441 St. Antoine
Detroit, Michigan 48226

Carl M. Levin, President
City Council-City of Detroit
City County Building
2 Woodward Avenue-Room 1340
Detroit, Michigan 48226

✓ Council Member Erma Henderson
City Council-City of Detroit
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2 Woodward Avenue-Room 1340
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Ombudsman Forrest Green
Police Department
City of Detroit-City County Bldg.
2 Woodward Avenue-Room 114
Detroit, Michigan 48226

Citizens Complaint Division
Professional Standards Section
Veterans Administration Bldg.
151 W. Jefferson Avenue-Room 710
Detroit, Michigan 48226


November 27, 1978

Police Chief William Hart

P.S. After this letter was completed, I closed my shop and went out to lunch. Coincidentally, I met the sergeant who was with the raiding party. He came over to my table and spoke apologetically, explaining that he was not a part of the belligerent group originally; but rather, he was passing by, and was flagged down by the other officers. He was asked by the others to accompany them into my place of business (he says that he thought they had a Search Warrant).

In view of their misconduct in this sergeant's presence in my store, he now says that he would like to make a statement as to what he witnessed being done by the other officers.

He gave me his name, his precinct, and rank. Therefore, if you are interested, I can and will identify this police sergeant.

Sincerely, 

Tommy Burns