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THE
DETROIT REPORT

MUTUAL LOSS RESEARCH BUREAU

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September 13, 1967

TO: MEMBER COMPANY LOSS MANAGERS

DISTURBANCES
JULY 23 - 31, 1967
DETROIT, MICHIGAN AND ENVIRONS
CATASTROPHE SERIAL NO. 48

Gentlemen:

Everyone is acutely aware of the civil disorders that have plagued more than 80 U.S. communities this year. It has been estimated that the insured property losses from these disturbances will exceed \$100 million. The Detroit loss alone is estimated at a little more than \$70 million.

Three representatives of this Bureau.....John McKenrick, Dan Econ and Paul Hoeltgen.....were in Detroit during the period of July 25 to August 11, 1967 to gather information for dissemination to member companies. Messrs. McKenrick, Econ and Hoeltgen worked in co-operation with city and state police and fire authorities, the American Insurance Association, the State of Michigan Department of Insurance, local insurance agents and adjusters, and with representatives of member as well as non-member companies in obtaining this material. They also worked closely with the American Insurance Association and state department of insurance in setting up meetings with adjusters, local agents, member and non-member company personnel to resolve coverage questions and establish uniformity in the handling of loss problems.

This is the first time the investigative talents of Dan and Paul have been utilized in Loss Research. Suffice it to say, Dan and Paul received quite a baptism in the fires of Detroit, and we are extremely pleased with their performance their first time out.

The enclosure is an in-depth report of the findings of our investigators. In it they touch upon the origin of the disorder, how looting, rock throwing and arson, dared at first by only a few, became mob & delirium. Messrs. Econ, Hoeltgen and McKenrick also give a breakdown of the businesses and structures involved, and the frequency with which they were struck.

We call your attention to the summary of Attorney Deneberg's opinion which appears in Section V of the enclosed material. If you wish to protect your right to make claim against the city, even though

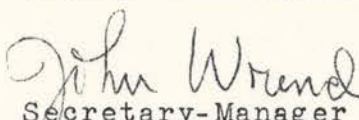
TO: MEMBER COMPANY LOSS MANAGERS - 2 - September 13, 1967

recovery does not seem likely under the doctrine of governmental immunity which is a part of Michigan law, you must serve written notice on the Corporation Counsel for the City of Detroit within sixty (60) days from the time of happening of the damage.

In conclusion, we believe you will find this material informative and valuable, as well as interesting.

Very truly yours,

MUTUAL LOSS RESEARCH BUREAU


Secretary-Manager

JW:jb

Enclosure

September 13, 1967

To: Member Companies and Loss Managers

Subject: Civil Disturbances - Detroit, Michigan and Environs

Prepared by: Mutual Loss Research Bureau

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I. Detroit Police Department Activities

We conferred with the following Detroit Police Department officials: Superintendent Eugene Reuter; Deputy Superintendent John Nichols; Deputy Commissioner Hubert Locke; Inspector Jack Shoemaker, Records Bureau; Inspector B.G. Winckoski, Research and Development Bureau, and Lieutenant Fred Hotchkiss, Commanding Officer, Property Room. From these and other sources, we gleaned the following:

A raid by the Detroit Police Department on a "blind pig" is regarded as having been the spark that ignited the Detroit riot on Sunday, July 23, 1967. At 3:50 a.m., Detroit police entered the second floor apartment at 9215 Twelfth Street and arrested 80 patrons who were drinking in the illegal after-hours liquor operation. This was in the 10th Precinct, in the Negro community and in the heart of the city's high crime rate area.

Squad cars from the 10th Precinct made repeated runs, transporting those arrested to the station to be booked. The police cleared the building at 4:45 a.m., 55 minutes after the start of the raid. Attracted by police cruisers, a crowd gathered at the scene and taunted the police officers. As the last of the prisoners were loaded into the police cars, an unidentified spectator hurled a bottle, smashing a window in a squad car. The crowd cheered and the incident had begun.

Within moments, the crowd began to move down Twelfth Street. Store windows were smashed and the looting began. At 5:10 a.m., the 10th Precinct received the first of many calls from the Twelfth Street neighborhood. Callers wanted to know why the burglar alarms were ringing. The number of calls grew quickly. More police cruisers were sent to the area. Their reports to headquarters indicated an imminent major outbreak. At 5:20 a.m., Police Commissioner Ray Girardin was called at his home and notified of the developing crisis. He immediately called Mayor Jerome Cavanagh. At 6:00 a.m., Girardin was in his office, conferring with staff officers and employing preconceived plans to contain the incident.

At 8:30 a.m., the riot-trained Mobile Task Units of the Detroit Police Department were mobilized and sent to Twelfth and Euclid. Others were held in reserve in case of outbreaks elsewhere in the city. At 10:00 a.m., the Task Units were pulled back from Twelfth Street. Their presence there was considered provocative to the crowd. At mid-afternoon Sunday, the Task Units tried a sweep to clear Twelfth Street, but the dense crowds merely fell in behind the officers as they passed.

From about 8:00 a.m. until noon Sunday, there was a lull along the Twelfth Street area. Crowds wandered aimlessly shouting at police, breaking bottles and spreading rumors. At 11:30 a.m., Representative John Conyers and other Negro civic leaders appeared at the scene to address the crowd. Bricks were hurled through the air and the speakers were shouted down.

It was reported by the Detroit news media that throughout Sunday morning, the police were under orders not to shoot, not to provoke incidents and to make as few arrests as possible. There was fear that unrestrained action on the part of the police would have contributed unfavorably to the volatile situation.

Mayor Cavanagh had been in touch with Michigan Governor George Romney and Colonel Frederick Davids, Director of the Michigan State Police. Shortly before 3:00 p.m. Sunday, Mayor Cavanagh called in the State Police; 360 troopers responded. Governor Romney called in the National Guard. More than 2,500 National Guardsmen responded and others were alerted for riot duty in Detroit. The National Guard troops moved into the riot area at 6:13 p.m. Sunday.

The lull in the rioting had lasted for only a short time. Shortly after 5:00 p.m., the rioting, looting and burning spread from Twelfth Street to Grand River Avenue. At 6:20 p.m., the police radio dispatchers reported the situation "completely out of control." A fashionable men's store, on Washington Boulevard, was reported broken into at 6:40 p.m. Riot calls went out for the Dexter-Elmhurst area and looting spread down Grand River Avenue as far south as four blocks north of Temple. Gunfire was reported in the Grand River-Trumbull area. Looting and burning were reported at Linwood and Bryan. Looting and burning were reported at Puritan and Wabash in north Detroit. Looters went into the Linwood-Glendale area at 7:00 p.m. and were spreading west to Lawton. Stores were being looted along Grand River from the 7400 block as far out as Oakman Boulevard.

Governor Romney declared that, as of 6:00 p.m. Sunday, July 23, 1967, a state of emergency existed in the cities of Detroit, Highland Park and Hamtramck, Michigan. A curfew was ordered from 9:00 p.m. to 5:30 a.m.

A summary of the areas which sustained the worst damage on Detroit's west side, as of Sunday, July 23, follows:

Twelfth Street - The origin and center of the rioting. The trouble broke out at Twelfth and Clairmount, gradually spread from Chicago to Grand River on Twelfth. Widespread looting and violence took place. Fires raged through blocks of stores from Twelfth and Euclid to Twelfth and Clairmount. Firemen were ordered out of the area at 6:45 p.m. In the three-block area from Twelfth and Clairmount to Twelfth and Hazelwood, more than 30 stores were broken into and sacked by looters.

Linwood - The second major area of violence. Fires broke out on Linwood shortly after 3:00 p.m. Stores on Linwood from Grand Boulevard to Davison were looted. Fires and looting on Linwood were not as concentrated as on Twelfth.

Grand River - The third major area hit by rioters. Fires broke out on Grand River shortly after 6:00 p.m. and spread rapidly. Entire blocks were aflame by 9:00 p.m. Looters stripped large stores of goods. By Sunday evening, damage appeared to be as bad as some of the worst areas on Twelfth Street.

On Sunday night, the fires and looting spread to Detroit's east side. There was destruction along the John Lodge Freeway. By Monday, July 24, the fires and looting spread to the Harper - Van Dyke area, Seminole and Conner, along Mack, St. Jean and Kercheval.

The violence was compounded by snipers who fired on the police and the firemen. Police and National Guardsmen in armored cars fought a full-scale gun battle with snipers in the Collingwood and Dexter area on Monday night.

Monday night's violence was more widespread than that on Sunday night. The bulk of the burning on Monday night was on the east side, with looting reported on both the east and west sides of the city. Fire stations at Mack and St. Jean, Gratiot and Grande, and Mt. Elliott and Sylvester were under sniper fire. Police stations at Mack and Gratiot and Jefferson and St. Jean were hit by rifle fire from snipers. It was reported that the police command post at Harper Hospital sustained sniper fire, as did police stations in the 2nd, 5th and 7th Precincts.

Arsonists set more than twice as many fires on Monday night than they did on Sunday night. Between 8:00 and 10:00 p.m. Monday night, arsonists set 86 fires. The Dexter and Collingwood area on the west side and the Fairview and Kerchival district on the east side were the worst arson areas as of midnight Monday.

Here is a summary of the riot, as of Monday night, July 24, 1967:

Dead - 14.

Injured - More than 800, including 32 police officers, 4 National Guardsmen, 3 State Police officers, 15 firemen and 76 of the persons arrested.

Arrested - 1,663.

Fire runs - 731.

Businesses looted - More than 1,000.

Law enforcement men - 14,800, including 8,000 National Guardsmen, federal troops, 360 State Police and 4,400 Detroit policemen.

Firemen - 1,200 Detroit firemen, plus more than 200 firemen from 40 other departments.

Reinforcements - 2,900 federal troops on standby alert at Selfridge Air Force Base.

Property loss - 150 million dollars (estimated by local authorities).

On Tuesday night, July 25, a 140 square block area was turned into what was described as a battlefield. Police, firemen and National Guardsmen were forced to withdraw as a result of sniper fire from the area bounded by Clairmount on the north, Woodrow Wilson on the east, Grand Boulevard on the south and Dexter on the west. Tanks and armored carriers moved into that area to dislodge snipers. On Wednesday morning, July 26, the Herman Kiefer Hospital and the police command post on the hospital grounds were targets of sniper fire.

The rioting subsided by Wednesday afternoon, July 26, and the city began to return to normal activity.

The Detroit Police Department has recovered approximately 30,000 pieces of personal property that had been looted during the riot. Included are about 600 rifles and shotguns and about 300 handguns. If the property is auctioned, it would bring in an estimated \$200,000. The recovered property is at two locations: (1) the police gymnasium, 1300 Beaubien, and (2) the Jefferson Street garage, 2650 East Jefferson. Police have inventoried all of the recovered property. They also have listed the description and the serial numbers of approximately 945 pieces of property. Arrangements have been made so that adjusters and insurance companies will be provided with this list to aid in the proper identification and recovery of property by the rightful owners. A copy of this list is available at the Mutual Loss Research Bureau.

The Detroit Police Department provided us with a list described as "Business Places Reporting Offenses During Riot Period of July 7, 1967 to July 31, 1967 - consisting of: Breaking and Entering, Entering Without Breaking, Arson, Malicious Destruction of Property and Larceny from a Building. The list contained 1,439 complaints, listed by address and description of the affected location. Many locations were duplicated by being listed on more than one complaint. Actually, this is a list of the places looted during the riot period. It differs from the list of places burned, prepared by the Fire Department although a few of the same locations appear in both the Police Department's as well as the Fire Department's lists.

A copy of the Police Department's list of places "looted" is available at our Chicago office and can be provided upon request. A recapitulation of the type of businesses with the highest occurrence of looting is presented here:

Markets, Supermarkets and Grocery Stores.....	262
Drug Stores	85
Dry Cleaners and Laundries	71
Clothing Stores	71
Bars and Liquor Stores	60
Furniture and Department Stores	49
Party Stores	28
Loan and Pawn Shops	25
Jewelry Stores	24
Gas Stations	17
Shoe Stores	15
Appliance Stores	14

Hardware Stores	14
Warehouses	12
Dime Stores	10
Auto Parts and Tire Stores	9

As a matter of interest, there were two banks, one police station and one sporting goods store looted.

The Detroit Police Mobile Task Unit (commandos) which had been trained and equipped to handle riots was unsuccessful in preventing or containing this riot. The incident which precipitated the riot occurred at a time and day when it was least expected that anything of this nature could occur. The mob of people that collected so quickly and participated in the looting was composed of women and children as well as juveniles and adults. Police said that the use of force and weapons would have caused the killing of women and children, as well as those who instigated and compounded the looting.

The squads of police who were sent to the scene at the inception of the riot were undermanned. The police believe that if they had tried to stop the mob by shooting into it, they would have massacred the rioting and looting participants, and that the death toll would have been in the hundreds. There were reports that the Detroit police had been ordered to use restraint and not to shoot.

Both the Detroit police commissioner and the mayor have denied issuing any such orders. The latest information is that the decision to use restraint with the looters in the first hours of the riot was a "field" decision. On Sunday, July 23, the police believed that they could contain the riot to the 10th Precinct. As it turned out, they could not, and the violence and destruction spread through the city.

The most recent statistics on the riot are:

Dead - 43.

Injured - Several thousand; no official figures compiled.

Police injured - 79 (one death).

Firemen injured - 30 (two deaths).

State Police injured - 4.

National Guardsmen injured - 19.

Federal troops injured - 0.

Arrested - 4,080. Approximately half of those arrested had a past criminal record.

Fire runs - 1,682.

Stores looted - About 1,700.

Property loss - More than 250 million dollars (estimated by local authorities).

Insured property loss - 75 to 80 million dollars (insurance industry estimate).

The police, as well as other officials, have been cautious on their classification of this incident. In no statements have police termed the incident an "insurrection," as distinguished from a riot or civil commotion. Detroit police have indicated that they had no information or knowledge that such an incident was about to occur. However, after the crowds gathered and the looting began, police feel that there was some organization among the snipers.

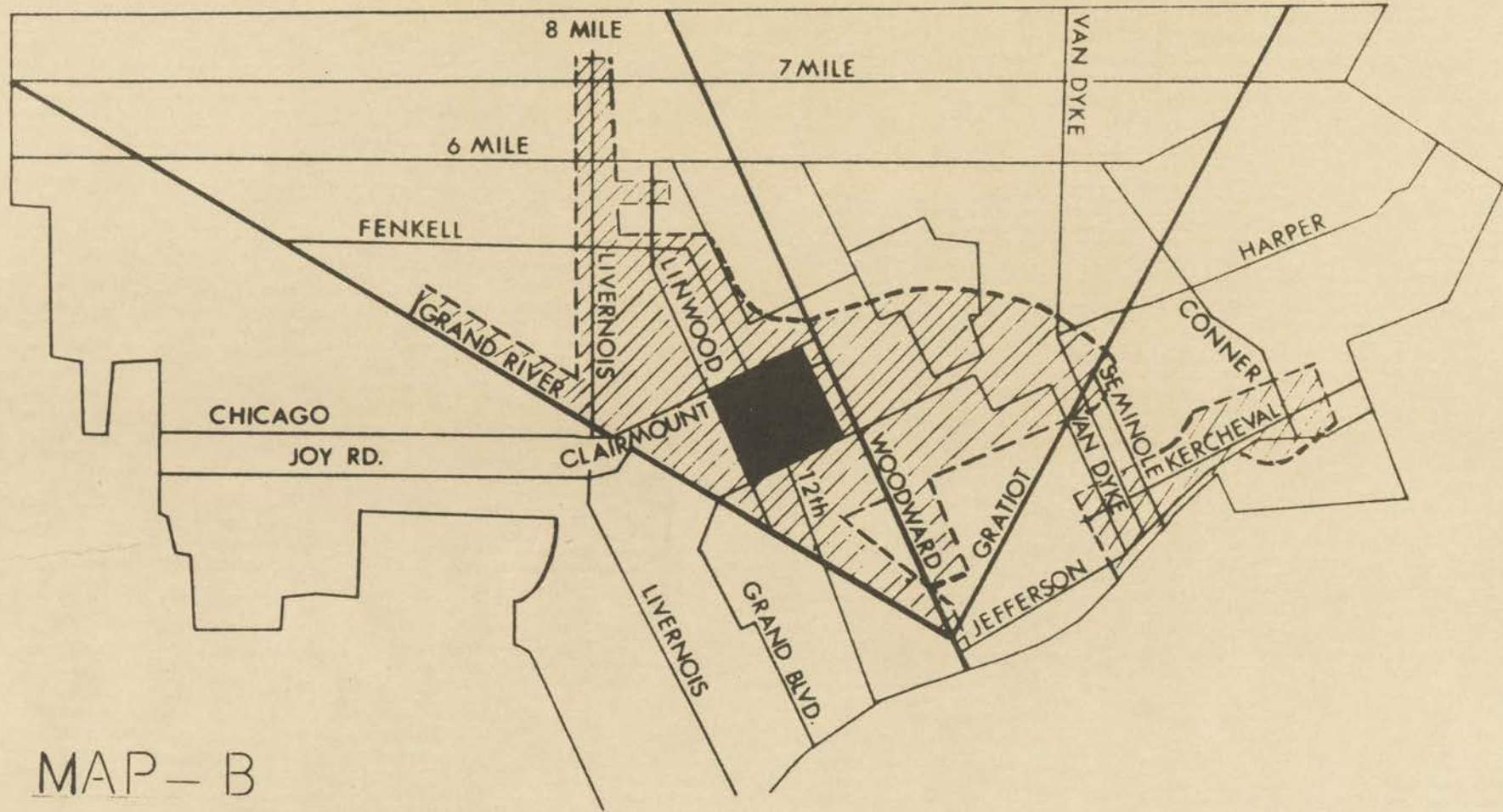
On August 14, 1967, Detroit police arrested Michael Lewis, age 22, of 12234 Sturdivant, Detroit. Lewis was arraigned in Recorder's Court on three warrants, each charging him with rioting and inciting to riot. Judge Donald S. Leonard ordered bond of \$150,000, pending examination. Police officers said there was no indication that Lewis was involved in any extremist groups or was part of any organized effort to start the riot that began July 23.

Attached are copies of two maps depicting the riot area in Detroit:

- A. A city map of Detroit showing the Police Department precincts, scout car territories and boundaries. The general area of rioting, looting and burning is depicted by the solid irregular line which encloses the general area affected. Boundary lines of the 10th Precinct are in the upper left of the enclosure. The other heavy lines depict areas that were greatly affected by the looting and fires.
- B. A map of Detroit depicting the affected area in the riot, showing the area of its inception on the west side (solid dark area) and its spread to other areas of the city.

Map (A) was provided by the Detroit Police Department; Map (B) was published in the Detroit Free Press on July 25, 1967.

How the Flames of Arson and Violence Have Fanned Across Detroit



MAP - B

LIGHT GRAY AREA shows how Detroit's civil strife had spread Monday from the original rioting that started early Sunday with a raid on a blind pig at 12th and Clairmount. Major disturbances Sunday were in the darker gray area. By

Monday, there was looting and arson the length of Grand River from Oakman to downtown, and along Livernois from Grand River to Outer Drive. A hundred new fires broke out after daylight Monday, including major ones at Dexter

and Davison, and along Kercheval on the east side. Looting spread through wide areas of the east side, including a portion of Hamtramck. Major disturbances were reported during the day in the Harper-Van Dyke area and in an area

between Seminole and Conner. While national guardsmen concentrated in the dark gray area in an effort to restore order, four-man police squad cars patrolled Grand River, Fenkell and other major arteries.

II. Detroit Fire Department Activities

We met with Detroit Fire Chief Charles Quinlan, Fire Department Secretary Robert Tighe, Fire Marshal Bernard DeCoster and Chief Fire Investigator John Adams. These officials described the situation on the first day of the rioting as: "First they looted and then they burned." Looters first would smash windows, break doors and grab whatever they could carry. Pawnshops and liquor stores were the first targets. Furniture stores, warehouses and supermarkets were next.

Firemen saw people looting and burning with the fire apparatus parked within feet of the places being victimized. People obtained gasoline from nearby service stations, poured gasoline into jars, pop bottles or whatever was handy, added a short fuse and threw the homemade bombs into looted buildings.

When firemen arrived to fight the fires, they were greeted with curses, bottles, rocks, bricks and sniper fire. In a few exceptional cases, neighbors would rally and offer support in defending firemen from attacks. Most of the fire apparatus was hit with rocks, bricks or bullets. There were many serious fires along Twelfth Street and Grand River Avenue that had to be abandoned because of the attacks on the fire fighters. Fires that would ordinarily be fought with over 100 men had to be dealt with by only 10 or 12 men.

Eventually, each fire apparatus was guarded by soldiers and squads of police, who went along with the fire apparatus answering fire calls. After two days of rioting and burning, the Detroit Fire Department reported more than 600 fires. Most of them were arson. The Fire Department responded to more than 900 fire calls in the first two days. Many firemen were injured, some seriously. Two firemen were killed by snipers--one at a fire station at Mack and St. Jean, the other while fighting a fire.

According to Fire Department reports, the first fire that occurred in the riot area was at 8:24 a.m. Sunday, July 23. It involved a shoe store located at 9047 Twelfth Street. The fire was of incendiary origin. The building was a three story brick and frame structure containing 18 apartments and 5 stores. The manager of the shoe store, Erskine Haslip, of 2511 Atkinson, was notified that looting was taking place in the area in which the shoe store was located. He went to the scene and saw that the store had been forced open and that looters were inside. The looting from this store lasted for about two hours before word spread among the looters that the police were on the way. Haslip reported that he heard someone inside the store say, "Okay, set it"; the store was evacuated and then Haslip saw fire in the store. This was the first known incident of fire in the riot. The firing of buildings then spread from this location to other parts of the city.

On Tuesday, July 25, we made a tour of the riot area with members of the Detroit Fire Department's Arson Bureau. Subsequently, the Fire Department provided statistics on 538 locations which had burned, describing the location of each, type of structure, type of occupancy and extent of damage. There was no breakdown relative to insured and uninsured properties. Most of the locations were looted before they were burned.

Copies of the survey made by the Fire Department are available from the Mutual Loss Research Bureau. A rundown of the type of occupancies involved is as follows:

Apartment Houses	34	Grocery Stores	53
Appliance Repair Shop	2	Hardware Stores	5
Appliance Sales	1	Hotels	2
Auto Parts Sales	1	Ice Cream Parlor	1
Army-Navy Store	1	Jewelry Stores	4
Artists Supply Shop	1	Liquor Stores	5
Auto Parts Sales	1	Loan Shop	2
Auto Wash	1	Multiple Occupancies	14
Bakery	3	Offices	11
Bank	1	Paint Store	1
Bars	9	Party Stores	4
Barber Shop	9	Pest Control Store	1
Barber Supply	1	Pet Shop	1
Beauty School	3	Pool Room	1
Beauty Shop	3	Print Shop	4
Churches	3	Private Club	1
Cleaners	20	Private Garages	7
Clothing Stores	18	Record Shop	3
Concession Stand	1	Repair Garage	4
Dance Hall	2	Rope Slicing Co.	1
Drapery Mfg.	1	Restaurants	12
Drug Stores	16	Shoe Repair	3
Dwlg. 1 & 2 family	98	Stores & Dwellings	1
Dwlg. & Garage	1	Undetermined	50
Dwlg. & Stores	44	Upholstery Shop	2
Factory	1	Vacant Stores	10
Furniture Stores	24	Variety Stores	12
Gas Stations	3	Warehouse	19
Gift Shop	1		

Total 538

III. Michigan State Police Activities

In the course of our investigation, we conferred with Colonel Frederick Davids, Michigan State Police Director, and his staff. The State Police responded to Governor Romney's emergency call to reinforce the Detroit police and help put down the violence. Three hundred sixty troopers were sent to Detroit from all parts of the state, and they were deployed with city police and National Guardsmen. A police command center was set up on the third floor of the Detroit Police Department headquarters. Representatives from all police and military commands coordinated their work in the riot from this command center.

Colonel Davids said there may be some indication of some conspiracy or organization in some phases of the riot. He said an analysis of the situation indicates that a struggle is on between different factions of the Negro population. One faction is the radical element that seeks complete Negro ownership and operation of all businesses in the Negro occupied areas, and the exercise of complete Negro governmental power and authority over the Negro population in such areas. This group apparently is seeking to overthrow the presently established Negro middle class.

Colonel Davids said his written report of the riot will consist mainly of the mobilization of the State Police, logistics as they affected his operation and a general report of the situation and how it was handled from the State Police viewpoint. He said he will review his final report and that if he feels it may contain certain information of value to the Mutual Loss Research Bureau, he will make excerpts of it and provide this information to this Bureau.

The State Police maintained no record of a list of places looted or burned. It is presumed that eventually, the Fire Division of the Michigan State Police will obtain a record of all the fires. However, at this time such records are available only at the local police and fire departments in and around the Detroit area.

IV. Proclamations Issued

On July 23, 1967, Michigan Governor George Romney issued a Proclamation and Executive Order No. 1967-3, declaring that a state of emergency existed in Detroit, Highland Park and Hamtramck effective 6:00 p.m. on that date. The order restricted the use and possession of fire arms, restricted traffic in the three cities, established a curfew between 9:00 p.m. and 5:30 a.m., closed all places of amusement and places selling and dispensing alcoholic beverages, limited meetings and assemblies of persons to five, and restricted the sale of gasoline.

At 8:00 p.m. July 23, Detroit Mayor Jerome Cavanagh issued an order declaring a curfew in Detroit between the hours of 9:00 p.m. and 5:30 a.m.

At 4:00 a.m. July 24, Governor Romney and Mayor Cavanagh issued a joint statement augmenting their respective orders. Mayor Cavanagh "urged" people to stay home and not come downtown. He also "requested" operators of businesses and commercial establishments to remain closed on Monday, July 24, and to instruct their employees not to report for work.

At 4:00 a.m. Tuesday, July 25, Governor Romney and Mayor Cavanagh issued a joint statement indicating that the situation had improved and requested that businesses, retail stores and industries "resume normal operations."

Acting upon the direction of the Michigan Liquor Control Commission, Colonel Frederick E. Davids, Michigan State Police Director, on July 24 and 25 issued orders prohibiting the sale of alcoholic beverages in the following counties: Wayne, Oakland, Macomb, Washtenaw, Genesee, Saginaw and Livingston. This order was gradually rescinded starting on July 28; on July 31, it was rescinded in the counties of Wayne, Oakland, Macomb, Saginaw and Genesee.

If you have not already received them, copies of the full texts of the proclamations and/or orders issued by Governor Romney, Mayor Cavanagh and Colonel Davids are available from our office.

On July 24, Lyndon B. Johnson, President of the United States of America, issued Proclamation 3795, entitled "Law and Order in the State of Michigan." It stated that the Governor of the State of Michigan informed the President that conditions of domestic violence and disorder existed in the City of Detroit, obstructing the execution and enforcement of the laws, and that the law enforcement resources available in the City of Detroit and the State of Michigan were unable to suppress those acts of violence and to restore order, and that the Governor requested the President to use such of the armed forces of the United States as necessary for those purposes.

On July 24, President Johnson issued Executive Order 11364, entitled "Providing for the Restoration of Law and Order in the State of Michigan." It stated in effect that the conditions of violence and disorder continued, that the persons engaged in such acts had not dispersed and that, therefore, by virtue of the President's authority as Commander in Chief of the armed forces, including Chapter 15 of Title 10 of the United States Code, and Section 301 of Title 3 of the United States Code, he ordered the secretary of defense to take appropriate steps to disperse all persons engaged in the acts of violence described in the proclamation and to restore law and order.

Title 10 United States Code Annotated, Chapter 15, is entitled "Insurrection." It was under Title 10 United States Code Annotated, Chapter 15, that President Johnson acted and placed federal troops in Detroit. The specific section - 331 - under Chapter 15, entitled "Insurrection", was not specifically referred to by President Johnson. His Executive Order read in part: "...pursuant in part to the provisions of Chapter 15 of Title 10 of the United States Code; and"... "by virtue of the authority vested in me as President of the United States and Commander in Chief of the armed forces by the Constitution and laws of the United States, including Chapter 15 of Title 10 of the United States Code, and Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:".....

It is noted that President Johnson acted under Title 10 United States Code Annotated, Chapter 15, which is titled "Insurrection." There are four sections in Chapter 15; 331, 332, 333, and 334. Section 331 provides for dealing specifically with an insurrection in any state. Section 332 provides for dealing with unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States. Section 333 provides for dealing with measures to suppress, in a State, Any insurrection, domestic violence, unlawful combination, or conspiracy..." Section 334 deals with the proclamation to disperse. Nowhere in his Executive Order or Proclamation does the President indicate under which section in Chapter 15 of Title 10 did he specifically act.

Copies of the President's Proclamation and Executive Order, as well as Title 10 United States Code Annotated, Chapter 15, in their complete texts are also available through this office.

V. Attorneys' Activities

Representatives of this Bureau met with and counseled with Attorney Norman Miller, of Clausen, Hirsh, Miller and Gorman, Chicago, before leaving Chicago for the Detroit assignment. The discussion centered on the subjects of insurrection, rebellion, riot and civil disturbance, their definition, elements of and proof required to prove them as they affect coverages in insurance policies. Mr. Miller was kept informed of the situation in Detroit by telephone calls from our representatives at the scene.

The rioting in Detroit was serious, violent and beyond the control of the city and state police, and the National Guard. This situation caused the Governor to request federal troops before the violence of looting, burning and sniping was eliminated. During the period of the rioting and shortly after its termination, neither the Detroit Police nor the State Police released any evidence to prove or establish "concerted action, central leadership, planning of the outbreaks or the existence of any organization conducting the same with the objective of overthrowing the constituted government and taking over the power of the authorities." We do not know at this time what information will be developed by the special committees that have been assigned by federal, state and local authorities to investigate and report on the cause of this riot.

The General Adjustment Bureau of Detroit retained Attorney Kenneth C. Davies, 2117 Penobscot Building, Detroit, to analyze the problems arising out of the riot. On July 25, 1967, a meeting was held in the GAB Detroit Office, where Mr. Davies discussed the riot problems. Present were MLRB representatives, members of the GAB, and representatives of the American Insurance Association. Mr. Davies discussed the various proclamations that had been issued in this situation, the definition of riot, the question of civil liability of the state or municipal government and the question of business interruption coverage due to civil authority preventing access to the premises or the place of business.

Mr. Davies expressed an opinion to the effect that these disturbances could not be effectively asserted as defenses under the fire policies on the grounds that there was an "insurrection" or a "rebellion," because neither President Johnson nor Governor Romney had proclaimed this incident an "insurrection" or a "rebellion."

On July 26, 1967, we met with Attorney Julius Denenberg, 1118 Guardian Building, Detroit. Mr. Denenberg had been requested by the Detroit Office of Toplis and Harding, Inc. to research this riot subject and provide his opinion on the problems involved. A copy of Mr. Denenberg's brief is on file in our office and is available upon request. A summary of his opinion is presented here:

Definitions of "Riot," "Civil Commotion" and "Insurrection" are given with the citation of specific cases on each subject, together with the holdings of those court decisions. According to Mr. Denenbert, "It would appear from the above definitions that there is a conflict of the authorities as to what actually

constitutes an "insurrection." One line of cases represented by In re. Charge to Grand Jury (D. C. N. D. Ill.) 62 F. 828 (1894) and United States v. Fischer (D.C. Neb.) 280 F. 208 (1922) hold that an insurrection exists if there is organized resistance to authority in opposition to the execution of the laws of the United States. These cases do not require an actual attempt to overthrow the constituted form of government."

"The other line of authorities, represented by Home Insurance Co. of New York, et al v. Davila, U.S.C.A., First Circuit, 8 Fire & Cas. Cases, 315 (1954), holds that for purposes of insurance policies covering fire losses resulting from riot but excluding the perils of insurrection or rebellion, it is necessary to have a movement accompanied by action intended to overthrow the constituted government and taking possession thereof."

"In our opinion, our courts will follow the reasoning of the Home Insurance Co. v. Davila decision regarding insurance policies covering losses caused by riot and civil commotion but excluding losses caused by insurrection, i.e., the courts will require a revolt, a rebellion or a seditious uprising against the government and an actual movement to overthrow the constituted government and to take possession of the inherent powers thereof."

In conclusion on his comment regarding "insurrection," Mr. Denenberg stated: "From the facts presently available it would not seem that the companies will be able to meet their burden of proof of showing that these losses were excluded under the insurrection provision of their policies. Although there may have been a movement by extremist organizations which precipitated and spread the havoc, terror and destruction in the city, the question is whether further investigations will disclose a movement specifically intended to overthrow the constituted government of the City of Detroit or the State of Michigan....."

The additional subjects which Mr. Denenberg briefed in his opinion are, Subrogation: Liability of Municipality For Riot Damage; Duty Owed by a Municipality to Individual Members of the Public; Governmental Immunity; Notice As a Condition Precedent; Liability of the State of Michigan; Federal Government, and Taking of Property Without Due Process of Law.

Michigan does not have a statute imposing liability on municipalities and/or counties for property damage and/or personal injuries caused by riot and/or mob violence.

Duty Owed By a Municipality To Individual Members of the Public:

"In any action based upon negligence, it is incumbent upon the injured party to show that the wrong doer owed him a duty. Not only is it clear that a municipality has a duty to protect its citizens, and their property from injury, Michigan has a statute relating to the duty of the public officers of a municipality in a riot situation. (C.L. 1948 Sec. 750.524, et seq. M.S.A. 28.789 through 28.796)."

"Although it is generally held that such penal statutes are for the benefit of the public and do not create a duty to a particular class or individual (see Taylor v. Lakeshore and Mich. St. Ry. Co., 45 Mich. 74 (1881), Grooms v. Union Guardian Trust Co., 309 Mich. 437 (1944) (snow removal ordinance), and 38 Am. Jur. Sec. 164, p. 834, Negligence - Application of Enactment to Public or to Private Persons"), there is some authority for the proposition that although the character of the duty may be public, when the municipality has actual or constructive notice of potential damage or injury which might befall an individual, it then owes a duty to the individual to protect him from injury. Under this authority, this duty could provide the basis for civil liability of the municipality to the injured party. (For a discussion of this view, see the dissenting opinion in Schuster v. City of New York, 121 N.Y.S. (2d) 735, reversed 180 N.Y.S. (2d) 287)."

"There are no Michigan cases interpreting this penal statute..... However, the statute does not appear to create any civil liability against the governmental employees named nor against the governmental unit employing them."

"Under the doctrine of governmental immunity, a person injured by the tortious activities performed by the state or its branches through their respective agents or servants while performing a governmental function is without a remedy against such governmental unit. The government is immune from liability."

"In 1961, Justice Edwards wrote the prevailing opinion in Williams v. City of Detroit, 364 Mich. 231, in which the court overruled the judicial doctrine of governmental immunity of municipal corporations from liability for "ordinary torts.".....

"Notwithstanding the broad statement by Justice Edwards, the doctrine of Williams v. City of Detroit did not completely abolish the doctrine of governmental immunity."

"On July 1, 1965, the Michigan legislature reinstated governmental tort immunity by statute, by enacting Act No. 170 P.A. 1964 (M.S.A. 3.996 (101) et seq.)."

....."There has been some discussion recently as to whether the act was intended to and does apply to the situation before us. The statute says:

'Governmental function; immunity from tort liability; immunity of state. Sec. 7. Except as in this act otherwise provided, all governmental agencies shall be immune from tort liability in all cases wherein said governmental agency is engaged in the exercise and discharge of a governmental function. Except as otherwise provided herein, this act shall not be construed as modifying or restricting the immunity of the state from tort liability as it existed heretofore, which immunity is hereby affirmed.' (emphasis added) M.S.A. Sec 3.996(107)."

It seems clear to us that the purpose of the statute was to restore all governmental immunity except as specifically provided by statute (defective maintenance of roads, negligent operation of motor vehicles, defective maintenance of public buildings), and possibly with the exception of certain areas of liability where the state was not held immune prior to the Williams case (nuisance and direct trespass). However, there are no decisions interpreting the statute."

Notice As a Condition Precedent. Section 12 of the Charter of the City of Detroit provides for notice to be given within sixty days from the time of the injury.

Liability of the State of Michigan....."the state, even prior to the enactment of Act No. 170, 1964, was immune from liability except in certain areas provided for by statute, and in cases of nuisance and direct trespass. Act No. 170 now defines and limits any liability of the state."

Federal Government..... "the Federal Tort Claims Act (28 U.S.C.A. Sec 2674, et seq.) provides for a general waiver of sovereign immunity as to all tort claims except those falling within certain categories relates to claims based upon 'the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a federal agency or an employee of the government, whether or not the discretion involved be abused.' (28 U.S.C.A. Sec 2680A)....."

"An examination of the sections of Chapter 15 of Title 10 invoked by President Johnson to send federal troops to Detroit clearly demonstrates that the dispersment and use of federal troops was clearly discretionary and the failure to provide troops or make effective use of them would not be a basis for any civil action against the federal government."

Taking of Property Without Due Process of Law.

"The Fourteenth Amendment to the United States Constitution provides that no state shall deprive any person of life, liberty or property without due process of law. The officials of the City of Detroit and the State of Michigan have been accused, particularly in the initial stages of the rioting, of permitting looting and destruction of property, and of refraining from use of force to dispel the rioters, with the alleged purpose of preventing bloodshed and a racial riot. If this is true, it would appear that in at least some instances, the city sacrificed the private property for the benefit of the public at large. Although the state may take or destroy property without compensation and without due process of law in cases of great emergency, the justification for the taking of such property is said to be a question of fact for the jury. See 16 AM. Jr. (2d) 368, Constitutional Law (b) Rights as Against Destruction of Property."

"It is therefore possible that the refusal of the officials of the city and state to act constituted a taking of property which was not justified under the circumstances. It will be necessary to study this possibility further before giving you a more comprehensive opinion in this regard."

In his Conclusion, Mr. Denenberg stated the following:

"It would seem from what has been heretofore said that the companies would have a heavy burden in attempting to show that the loss and damage to any particular property in the City of Detroit was excluded under a policy insuring against the perils of riot and civil commotion but excluding loss caused by or resulting from insurrection. As we stated at the outset, the investigation must be completed and more facts must be developed before a more comprehensive analysis can be made in this regard. We understand that most of the companies have already decided not to consider these losses as caused by an insurrection, and therefore most of what we have said is mere academic. As we have heretofore suggested, if further investigation discloses that the damage and destruction caused during this time in the City of Detroit was instigated or planned by any organization, the companies should consider the possibility of defending these claims so as to establish a precedent in the event of further outbreaks here and in other areas throughout the United States."

Even if the companies are able to show that the governmental officials were negligent in failing to take prompt and proper action to quell the disturbance and that such negligence was the proximate cause of the losses, it would appear that they have little chance of recovery because of the doctrine of governmental immunity which is part of Michigan law. However, the immunity statute (P.A. 170, 1964), has not yet been interpreted by our courts and there are at least some possible theories of recovery.

For example, it can be contended that the burning, looting and destruction of property in certain areas of the city, unhampered by police and other authorities, constituted the taking of property without due process of law; if the Michigan penal statute relating to the duty of public officers in a riot situation is interpreted to create a civil liability on behalf of these officers, it is possible that the governmental units employing them would agree to pay any judgment rendered against them pursuant to Sec. 8 of the immunity statute (M.S.A. 3.996 (108)). These are merely mentioned as possibilities, and although any recovery under these theories does not seem likely, they will bear further study and examination.

In view of this, we suggest that the companies serve written notice on the Corporation Counsel for the City of Detroit within sixty days from the happening of the damage, setting forth their respective policy numbers with a description of the property insured, type of damage caused, and as much detail as possible regarding each loss. The notice

should recite that upon payment of any loss to their insureds, they will seek recovery against the City for its negligence and failure to properly protect the said property, and that the notice is filed so as to comply with Sec. 12 of the Charter of the City of Detroit. Notice of intention to file a claim against the State of Michigan or the claim itself should be filed with the Michigan Court of Claims in Lansing, within six months following the happening of the event giving rise to the claim. These notices should recite that they are without prejudice to any other rights which the companies may have."

VI. Insurance Information Center Activities

On July 27, 1967, representatives of the MLRB and the American Insurance Association met with the Michigan State Commissioner of Insurance, David Dykhouse, Deputy Commissioner William Wadsworth and Special Deputy Commissioner Frank McCaffrey, of the Byrnes-McCaffrey Insurance Agency, Detroit. Others present were Norman Acker and Maurice Greer, of the Independent Insurance Agents of Greater Detroit.

Commissioner Dykhouse announced that Governor Romney requested the Michigan State Insurance Bureau to establish an information center in Detroit, to assist assureds who sustained property damage in the riot by answering questions and to provide information on the submitting of their claims - through proper channels - without becoming involved in the area of claim adjustments. It was announced that an Insurance Information Center was to be set up at 8401 Woodward Avenue, Detroit. (Great Lakes Mutual Live Insurance Building). The Center was to be directed by Frank McCaffrey.

Following is the text of a public release concerning the Insurance Information Center, containing the guidance it offered to those who sustained damage:

Governor Romney announced Thursday that he has requested the State Insurance Bureau to establish an information center within the City of Detroit. Governor Romney said Insurance Commissioner David J. Dykhouse has appointed Mr. Frank McCaffrey of Detroit as Special Deputy Commissioner in charge of the Information Center. Also appointed as assistants to Mr. McCaffrey are Mr. Norman Acker and Walton Lewis. The Information Center will be staffed by individuals from the Insurance Bureau, the insurance companies and insurance agents' associations. It is to be located at 8401 Woodward. The telephone number is TR 5-3820.

According to Dykhouse, the primary purpose of the Center was to assist assureds who have had property damage during the recent rioting in submitting claims and answering questions. The Center also acted as a coordinating point for various segments of the insurance industry that were directly involved in adjusting the losses.

Any persons having damage resulting from the riot and having an insurance policy should pursue the following steps to expedite the handling of their claims:

1. First notify your insurance agent or company representative immediately.
2. Make yourself available when contacted by your insurance company adjuster.
3. Protect your property from further damage, board up broken windows, sort out damage property, inventory property remaining.

4. Make a list of property destroyed and where possible indicate its age and original cost.
5. After notifying your agent, do not keep calling for attention. Keep lines free as they are overcrowded.
6. Your insurance agent or insurance company representative can completely handle your adjusting problems.

Commissioner Dykhouse urged people to call the Center rather than attempt to come in person. "We will have an ample staff to assist people with their insurance problems," he said, "if the phones are busy, be patient and keep trying."

The Center will be open to receive calls in the middle of the afternoon on Thursday, July 27.

In the meeting of July 27, Commissioner Dykhouse inquired from the representatives of the MLRB and AIA about the position their respective member companies were taking on the question of whether this riot was an insurrection and/or rebellion, thus falling under the exclusion of the insurance contract, as distinguished from a riot or civil disturbance, in which case there would be coverage under the policies.

We informed the commissioner that each member company would exercise its own prerogative, make its own independent evaluations, judgments and decisions.

The AIA representative stated that their executive committee was meeting to discuss that question and that he had no comments to make at that time. Commissioner Dykhouse then stated that in the opinion of Governor Romney, and that it was also his opinion as an attorney, and that it was also the opinion of the Michigan Attorney General, that this incident was a civil disorder and not an insurrection or a rebellion.

Commissioner Dykhouse quoted from President Johnson's July 24, 1967 Proclamation to the effect that this was "domestic violence and disorder." He said that "the insurers have contractual obligations which I am going to see to it that they meet and they will meet them immediately, without delay." He said he was prepared to commence a court action immediately if any company refused to adjust these losses on the grounds this was an insurrection or rebellion. Commissioner Dykhous said his staff had canvassed and surveyed all the companies doing business in Michigan and not one of them took the position they would not "pay off" because this was an insurrection.

A few days after the July 27 meeting, Special Deputy Commissioner McCaffrey gave a progress report of what he and his staff were doing. Here is the text of McCaffrey's progress report:

These riots started Sunday, the 23rd of July 1967. They generally followed a pattern of fire and looting of grocery stores, appliance shops, drug stores, liquor stores, etc. Comparatively very little damage was done to resident property outside of the mercantile neighborhood. It was obvious the rioters were interested in commodities such as clothing, appliances, liquor and drugs.

On July 25th, I received a call from Commissioner David Dykhouse, Insurance Department, State of Michigan, asking that I be prepared to head up an Insurance Information Center for the purpose of (1) assisting the public in prompt collection of claims, (2) corrolating the efforts of the industry in adjusting the many losses which have occurred.

The purposes of the center are:

1. To assist the public in directing their claims to the proper parties and also to help by advising what information is necessary to process a claim,
2. To keep out irresponsible elements who have, in the past, preyed upon uninformed insureds.
3. To coordinate the activities of the various segments of the insurance industry.
4. To collect and compile statistics regarding losses incurred during the riots for the benefit of the State of Michigan and the insurance industry.

On July 26th, I was appointed Special Deputy Insurance Commissioner to head up the Insurance Information Center at 8401 Woodward Avenue, Detroit. (Great Lakes Mutual Life Insurance Company Building.)

The Center was opened at 3:00 P.M. on July 27th and was staffed with field men from the various insurance companies and with agency people, both without compensation. Also all necessary supplies and office equipment were donated by companies and agencies.

From 3:00 P.M. on July 27th to 6:00 P.M. the following day, approximately 125 telephone inquiries were handled and approximately 10 people appeared at the Center for assistance. These initial inquiries requested information as to how to contact their agent or adjuster, whether or not their claims would be honored, questions regarding coverage, etc.

The Center, during the same period of time, issued 215 passes to adjusters representing the insurance industry with instructions that the passes are to be returned along with information regarding the dollar value of the insured losses uninsured losses.

In addition, two representatives of the Michigan Inspection Bureau were put in the field under the direction of the Center to make an extensive sampling in the damaged areas to determine the uninsured losses where no policy was in force and to identify the risks, not only by type of business but by name.

In the late evening hours of July 27th, the information came to us that there were serious reservations on the part of insurance companies as to whether or not they were contractually obligated to accept claims. These reservations stemmed from the fact that practically all insurance policies providing riot coverage exclude war, insurrection and rebellion. Specifically, would these disturbances constitute an insurrection and hence be excluded under the policies?

All of the business hours on July 28th were spent by Commissioner Dykhouse and myself on the telephone contacting presidents and/or top executive officers of leading insurance companies who were seriously involved in the disaster. We found indeed, that there was a reluctance on the part of these people to commit themselves with the scanty information at hand. There was indication that they had learned that charges had been made that the disturbances were organized to some extent. Our contention was that an insurrection effecting policy coverage would have to be "an organized attempt to overthrow a civil authority and to supplant that authority with another." We further contended that the persons actually perpetrating the rioting and looting would have to be attempting to accomplish the above in order to come within the definition.

By the end of the afternoon we had secured several assurances that the losses would be adjusted without any attempt to invoke the insurrection exclusion. All companies contacted agreed that the claims would be processed in the normal fashion and paid as promptly as possible, but in several instances it was explained to us that this decision was made on the basis of the facts presently on hand, and the Commissioner thereupon issued a press release based on the above. It is extremely important, therefore, that the Insurance Bureau very carefully monitor any actions by public agencies or the Courts in this regard.

To return to the activities of the Center, in the first day and a half of operation efforts were made to establish liason with officials of the Michigan State Police, Detroit Police Department, the Mayor's office and others that might be able to render assistance or give advice to those coming to the Center whose problems were not necessarily nor exclusively related to insurance.

The office hours of the Center were established as 9:00 A.M. to 6:00 P.M. daily for the purpose of public announcement with the understanding that the Center would remain open as long as people were in need of advice or assistance.

A meeting was held in the afternoon of July 29th and the following determined:

1. Bailees

- a. We will get list of adjusters assigned by bailee risks.
- b. We will advise claimant to contact adjusters in charge of the bailee risk.
- c. Adjuster will contact each claimant and pay if there is an open end policy. If limited, he will not pay until the total claim for that particular risk is determined. The insurance will then be pro rated amongst those not having Homeowners coverage. The bailee policy to take precedent over the Homeowners.

2. Salvage

We should make arrangements with the Detroit Police Department to provide a facility for all salvage so that in the very near future walk-throughs can be made.

3. Contacts - Civil Authorities

We should contact Police, Fire and Mayor's office so we will have the names of individuals to call if we need help in these areas.

It would be helpful if we had tapes of some kind giving us information as to what utterances or remarks were made either directly or indirectly during the incident.

4. Agency Association

The Association should issue bulletins explaining the bailee plan and also reiterating that it will be necessary to segregate the damage property from the undamaged and establish values, and, where possible, the date of purchase. This will assist adjusters in adjusting the claims promptly.

The bulletins should further point out that even though the total loss is uninsured, a proof should be prepared determining the exact loss as if it were insured. This is generally acceptable to the I.R.S. for tax deduction purposes.

5. Civil Authorities Coverage

- a. Generally speaking, B.I. policies provide up to two weeks coverage as a result of B.I. loss due to orders of Civil Authority.
- b. Closing must be due to order by civil authority to be insured. Decisions on the part of the Insured to close would not be the subject matter of this insurance.
- c. Verbal orders ? ? ? See Paragraph 4.

6. Estimated cost of CAT. NO. 48

Frank Lewis will provide estimate figures of insured losses.

We will factor out uninsured losses, remembering that uninsured property is likely to be less valuable per unit.

Target date - Tuesday August 1, 1967

Two notices went out to the Independent Insurance Agents of Greater Detroit from their President, Norman Acker. One was dated August 1, 1967, and the other August 8, 1967. The Text from each of those notices follows:

INDEPENDENT INSURANCE AGENTS
of GREATER DETROITSuite 410 Murphy Building
Detroit, Michigan 48226

August 1, 1967

TO: All Agents - IMPORTANT NOTICE

FROM: Norman C. Acker, President
Independent Insurance Agents of Greater Detroit

You may have had or will have calls from insureds who had clothing or other items in the possession of dry cleaners, laundries, etc. that were destroyed in the recent riot. It is important that you take the following steps for settlement:

1. Have all claims reported to the proper adjusting firm according to the attached list.
2. If the dry cleaners or laundry or other has no bailee coverage the loss may be covered under the individual's contents policy.
 - A. If there is no bailee coverage report such loss through customary channels.

NON-WAIVER NOTICE

Some of your insureds have or will be requested by the Adjuster to sign a Non-Waiver Agreement. Encourage such persons to sign.

Such signature in no way jeopardizes his rights under his policy but enables the adjusting company to start processing the claim pending determination of coverage by the company. Signing of such Notice will actually expedite settlement of loss.

COPY

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INDEPENDENT INSURANCE AGENTS
of GREATER DETROIT

Suite 410 Murphy Building
Detroit, Michigan 48226

August 8, 1967

TO: All Agents - IMPORTANT NOTICE

FROM: Norman C. Acker, President
Independent Insurance Agents of Greater Detroit

A number of important loss questions pertaining to the recent riot come to mind. The following may be of help to you as the local agent dealing with your insureds.

Direct Property Damage

Any policy with extended coverage endorsement and most commercial packages includes riot and civil commotion coverage. Losses involving direct damage should be referred to your insurance company or adjuster in the usual manner.

Looting and Pillaging

Riot and civil commotion covers direct loss from pillage and looting occurring during and at the immediate place of a riot. This is a fuzzy area. Some losses could be considered as theft and not covered by riot and civil commotion. These losses should still be reported to your insurance company or adjuster in the usual manner.

Business Interruption

Business interruption resulting from physical damage is a covered loss. Business interruption resulting from losses involving acts of civil authority or proclamation may also be covered losses for a specified period of time. There is definitely no coverage, however, due to a loss of earnings because of lack of customers.

A business interruption due to curfew restrictions are in the fuzzy area and some may be covered, for instance, losses involving liquor stores, gas stations, amusement centers, etc. These losses should be reported to the company or adjuster in the usual manner.

Your association will be happy to advise you on any questions of loss reporting.

On August 1, 1967, the MLRB representatives met with Mr. Phillip Margolis, President of the Mutual Agents Association of Michigan and

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assisted him in the preparation of a release to members of his association, similar information as that released to the association of Independent Insurance Agents of Greater Detroit.

On August 1, 1967, we attended a meeting called by Mr. Robert Toohey, Commissioner of the Department of Public Works for the City of Detroit, at the City Hall. Others present were representatives of the city government, Michigan Department of Insurance, Health and Sanitation Department, Building, Zoning and Permits Department, Fire Department and labor unions. The purpose of the meeting was to coordinate plans for condemning and demolishing fire and riot damage buildings. Plans were made to serve notice on the property owners and to allow ample time for the adjusters to inspect the affected properties and meet with the respective insureds before the buildings were demolished.

VII. Activities of Adjusters and Insurance Companies

Representatives of the MLRB cooperated in this Catastrophe Serial Number 48 with Mr. Frank Lewis, Jr., Assistant Manager, Claims Bureau, American Insurance Association, New York City. In this cooperative work, a list was prepared composed of insurance companies that had sustained losses in the Detroit riot and adjusters who were handling the losses. This list contained 41 insurance companies and 15 adjusting firms. It was used as a mailing list and periodic mailing was made of important notices, a list of known bailee losses, the proclamations that had been issued and the inventory that had been provided by the Detroit Police Department.

Member companies and independent adjusters on this list were contacted by telephone during various phases of the operation. Personal contact was made with only few of the member companies and independent adjusters. All parties on this list were given notice of a meeting of adjusters and insurance company representatives that was to be held on August 1, 1967, to discuss the adjustment problems connected with this riot.

The meeting which was held at 8401 Woodward Avenue, Detroit, on August 1, 1967, was attended by approximately 75 persons composed of adjusters and insurance company claims representatives. A member of the American Insurance Association and Mutual Loss Research Bureau presided over the meeting. The following subjects were discussed:

Bailee problems and uniformity in handling them

Order of Civil Authority - refer to companies for guidance

Complete inventory of contents

Non-waiver agreements - purpose and use - suggested taking them

Property recovered by police - to be taken to central location by police

Some of the effects of the proclamations issued by the Governor and the Mayor and how they will affect business interruption losses.

There were questions raised by the adjusters and claims representatives. They wanted to know whether or not this riot was an insurrection and/or rebellion as distinguished from a civil disturbance; they presented cases involving consequential or indirect business interruption losses; they wanted to know if there was a uniformity established in adjusting such losses. The guidance they received was to the effect that each case would have to be thoroughly investigated by the adjusters, pre-

ferably under a non-waiver agreement. Further, adjusters were admonished to present all the facts of each claim to the respective company for its evaluation and guidance in the settling of the claims.

Representatives of the American Insurance Association and this Bureau made a survey of the riot area and then estimated that the number of insured losses, exclusive of bailee and business interruption losses outside the riot area, would amount to approximately 5,000 losses amounting to approximately 75 million to 80 million dollars.

The few early contacts that were made with officials of member companies indicated that as early as July 25, member and non-member companies had decided to proceed with the adjustment of claims resulting from this riot, regardless of whether or not the incident may or may not be classified or designated an insurrection as distinguished from a riot or civil disturbance.

VIII. Detroit News Media Reports

Both the Detroit News and the Detroit Free Press presented vivid accounts of the riot and its ramifications.

We have selected the following reports as representative of vivid reporting.

1. An article on the question of organization, pattern or movement on the part of a group of people to start and/or propagate a riot. This appeared in the Detroit News on July 28.
2. A series of five articles written by Negro writer Louis E. Lomax analyzing the Detroit riot. These articles appeared in the Detroit News starting on August 6 and running through August 10.

SOURCE: The Detroit News - Metro Edition
Friday, July 28, 1967

ARE SNIPERS PART OF NATIONWIDE PLOT?

By TOM JOYCE
Detroit News Staff Writer

Police and military officials trying to unravel the vicious pattern of deadly sniping that prolonged Detroit's racial maelstrom say there already is strong evidence to suggest a national conspiracy.

One top law enforcement officer working with Detroit police declared without reservation:

"We are convinced that this sniping is very well organized and we think there is a good possibility we will be able to prove it."

The officer said he could not go into details of evidence now. But he added:

"From the information we have now, this sniper activity is part of the network of the Black Power movement. It's divided into city groups that are called 'bays' and they roughly resemble Communist cells.

"Indications are now that a 'lieutenant' is in charge of the Detroit operation and higher authorities are located elsewhere."

DETROIT POLICE Commissioner Ray Girardin said he "strongly suspects" that the snipers are well-organized--that the rooftop firing that killed and wounded policemen and firemen was part of a well thought out plan.

"For one thing," Girardin said, "there wasn't any sniping right away when the looting and burning erupted early Sunday. It came later. But once it started it was determined.

"And if this is true--if it is part of a predeveloped plan--the big question is what will happen when the federal troops are pulled out?"

A paratroop colonel voiced strong support of the theory.

"All this is too well organized to be a coincidence," he said. "These people know what they are doing and they know how to keep us and the police on the run."

The leading law official assisting Detroit police, who asked that his name not be used, said there is a good chance that some arrests will be made soon.

HE AND OTHERS have the pattern figured out this way:

The trained snipers have been waiting in Detroit for violence to break out. Their method of operation is not to start trouble, but to exploit it and make it worse once it has developed.

Their mission, according to the theory and the evidence that some policemen say they have, is to draw numbers of police officers to an area where they can be murdered and where they can be pinned down to make it easier for mobs to loot, burn and pillage.

"A single sniper," said Girardin, "can keep a lot of officers tied up for a long time."

The last few days have demonstrated this.

This reporter and a photographer, one night this week, patrolled with paratroopers and Detroit police Tactical Mobile Unit officers looking for snipers.

DOZENS of calls were responded to--sometimes at speeds up to 90 miles per hour. The crack of high-powered rifle fire from snipers could be heard. Not a single sniper was found. But scores of policemen and paratroopers were tied up.

It was the same thing last night.

Early in the week hundreds of police were pinned down for hours. And firemen had to give up fighting fires because of harassing shots, some of which killed and wounded fire fighters.

"These people," said both military and police officials, "seem to have some kind of system of communication.

"They know where we are weak and where we are strong."

GIRARDIN said sniping incidents have died down in the last two days because pressure from police, national guardsmen and paratroopers has been too much. But he again raised the question of what would happen if the Guard and federal troops were withdrawn too soon.

Is there any connection between the snipers in Detroit and those in the Newark riot earlier this month?

Some officers here say there is evidence to suggest they are part of the same national network of Black Power figures who are **dedicated** to "get whitey" no matter what the cost.

The current issue of Life magazine carries an interview with men who say they are snipers organized by militant civil rights groups.

Said the article:

"Life reporters were given some insight into their strategy.

"In a dingy, dimly lit room above an alleyway, members of the group described their operations and told of their philosophy.

"While one man sat and talked, others moved through the room, passing around a pint of bourbon.

"Nobody identified the group by name, but they freely discussed fraternal contact with other black extremist organizations, such as RAM (Revolutionary Action Movement), US, (the Swahili-speaking groups of Los Angeles) and the Deacons for Defense of Justice."

THE ARTICLE quotes one of the men as saying:

"Five or six shots in the air are enough to draw cops thick as fleas on a dog and still give time to get away.

"The important thing is that our people know we're here. Will they follow? Damn right, they'll follow. They're getting what they want, aren't they?

"While the police are busy tearing buildings apart looking to kill snipers, our people are getting color television sets, refrigerators, clothes - whatever they couldn't afford..."

The article goes on:

"The truly surprising discovery in Newark is that the presence of the sniper organization has been widely known, though by no means fully condoned in the Negro community. There were warnings about the group's intent and potential."

The pattern has differed slightly in Detroit, especially to the extent that most of the looting stopped after the sniping began.

If the trial is as hot as some police here think, the Detroit investigation could have a national impact on a long, hot summer that is far from over.

SOURCE: The Detroit News - Final Edition
Sunday, August 6, 1967

SEEDS OF RIOT PLANTED HERE BY 'SALESMEN'
(First of a Series)

By LOUIS E. LOMAX
(Copyright, North American Newspaper Alliance)

Three days before the Detroit riots the city's summer task force, a civilian riot-control group, was assigned to control and end a simulated riot. The explosion point was 12th and Clairmount, the corner where the riots erupted early the following Sunday morning.

The group attacked its assignment and failed—because it overlooked the fact that an organized group, largely from outside the Detroit area, had been operative in the city for more than a month.

And like the riot-control group, this second group had an assignment: burn and destroy.

This second group is highly organized and well trained. It is not made up of thieves and arsonists in the ordinary sense. They are, instead, causists-revolutionaries committed to the belief that the power structure does not have the moral fiber to repent its socio-economic sins, so the only truly corrective measure is to level the nation in ashes.

THE PRINCIPAL U.S. CITIES were chosen as the initial battleground simply because they afford the cooperation of the innocent and uninformed that every such revolution needs.

"Operation Detroit" got under way several weeks ago when a small band of young Negro men fanned out through the ghetto, posing as magazine salesmen. Once allowed in a home or apartment, the "salesman" would say he was from the South, and he recently had graduated from high school and was selling magazines to earn his college tuition.

The salesman offered the customer a wide range of Negro magazines. The price of the package was \$18, of which \$12 was to be given the salesman and \$6 sent to a legitimate circulation service in New Jersey. The salesman represented the New Jersey company and provided each customer with a receipt and a printed envelope for mailing this payment to the firm.

But the "sale" did not stop there. The salesman went on to sell Black Power.

"I thought I was helping a worthy Negro boy get to college," one of the subscribers said. "I really couldn't afford the subscription, but I sacrificed to help one of my own kind. Then he started talking to me about Black Power. He asked me 'why the hell we let Whitey, particularly the Jews, run the stores in our neighborhood.'"

"THEN HE STARTED asking questions about the community: Who had guns; who owed big bills at local stores and might be interested in seeing the buildings burn down. I told the fellow I didn't know all that. He left and went next door. I later learned he did the same thing all along our block. I also learned other salesmen called on friends I have many blocks away."

Within a week the salesmen produced such concern along Euclid that several responsible citizens belonging to a neighborhood association decided something should be done. The leaders of the group were immediately threatened by young Negroes they never saw before. Honestly frightened, they remained silent until after the riots.

The battle plan was simple: Remain as obscure as possible until police-ghetto dynamics provided the proper setting for "the revolution."

The uprising almost occurred a month earlier when a Negro was shot and killed while allegedly protecting his wife from three white rapists. But the needed trigger in the street did not fire.

Two weeks later a young Negro woman, a suspected prostitute, was killed by police who said the woman had drawn a knife on them. Again the necessary dynamics-milling, angry Negroes-did not materialize.

BUT EARLY SUNDAY MORNING, July 23, the proper ingredients were mixed in the right proportions at 12th and Clairmount. Even then the riot needed the "assistance" of the police.

Just before dawn police raided a "blind pig," an after-hours club neighborhood residents complained about for six months. The police also knew its existence for months. After all, the policemen on the beat could not be unaware of 50 people at an all-night drinking and gambling party every day of the week.

The merrymakers and gamblers were given the usual searching and then herded into police cars. Then the dynamics began to congeal.

Negroes were milling along 12th. They congregated at the corner of Clairmount to watch the raid and the arrests.

"They called us niggers!" a woman who was in the blind pig said.

"I heard them callin' people niggers," a bystander recalled. "And I shouted we ought to tear up the hunky town. Then somebody threw a bottle through a window! And baby," he laughed, "that's when the fan got clogged!"

WHAT HAPPENED IMMEDIATELY after the first window was broken is common fare in the poverty-ridden Negro areas of our cities. More windows were broken, and people started looting.

"I was standing on the street when the looting started," a Negro professor at Wayne State University who lives in the area said. "It was a normal breaking-and-looting scene. They happen all the time. Then people became aware of the fact that the police, following orders, were not interfering with looters."

At this point the professionals moved in. Acting with precision, one squad moved along 12th with hammers and crow-bars, smashing windows.

"Come on, baby, help yourself," they shouted to the milling and running Negroes along the street.

ANOTHER PROFESSIONAL revolutionary squad raced along the street several blocks away, shouting, "Hey, man the fuzz is letting the people take all they want. Get up to the corner of Clairmount."

"I split like hell to the corner," one looter said. "I got me a TV set."

The looter did not realize he, like the others, was a pawn in the revolutionaries' game. The professionals wanted hundreds of people running, yelling and looting.

Add to that the non-action of the police, and you have a recipe for chaos and riots--perfect food for revolutionaries.

Within two hours 12th was a human jungle. Dewey Shanks, who lives in the ghetto, and is attached to the mayor's Human Relations Committee under a poverty program grant, was at the corner. One of the agitators was hard at work smashing windows. He shouted to Shanks, "Hey baby, I haven't seen you since Newark!"

Dewey Shanks was not at Newark. The revolutionary was.

SOURCE: The Detroit News - Late Final
Monday, August 7, 1967

FATE HELPED AGITATORS IN KINDLING RIOT

(Editor's Note: This is the second in a series of articles by one of America's foremost Negro authors and newspapermen.)

By LOUIS E. LOMAX

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Sunday dawn broke over a Detroit that was already beginning to belch flames. It was as if God Himself was on the side of the organized revolutionaries. Everything worked; twists of fate and human weaknesses gave agitators every advantage.

Methodically breaking store windows, the revolutionaries urged the milling Negro people to loot and steal. But--and at least a dozen observers confirmed this - the professionals did no looting of their own. They are not thieves; they are men at war; revolutionaries bent on reducing the nation to ashes.

The looters unknowingly cooperated by having a happy time. The streets teemed with whites and Negroes who stole with abandon and glee. People came in cars from miles away and hauled off freezers, sofas, television sets and clothing.

MEANWHILE THE DETROIT POLICE instituted a maneuver that called for them to move in on the looters, chase them away, but not shoot. The result was a wild game during which the looters mocked the police for being stupid.

The police would move in on one set of looters; the looters would break and run across the street and enter yet another store, a store window a block away would crash and other looters moved in. The police would then take off down the streets, their lights blinking and sirens wailing. The first group of looters, openly laughing at the police, then resumed their stealing.

"Why don't you guys stop this thing?" Dr. James Boyce, a Negro professor at Wayne State University, asked a policeman.

"We're following orders," the policeman shot back.

Then the human element began to play into the hands of the revolutionaries.

A NEGRO WOMAN ON RELIEF set fire to a furniture store because she felt she would never be able to pay the bill she owed there. Due to the interest rate she was being forced to pay \$910.12 to satisfy an original debt of \$285.

"Yes," she said. "I burned that damn Jew store down. That's one bill I will never have to pay. I made sure the office and all the records went up in flames first!"

Clifford Williams, a Negro, owned a combination drug and liquor store at 12th and Philadelphia. For more than a year civil rights organizations, notably the Congress of Racial Equality (CORE), had been urging Williams to cease his harsh treatment of Negroes. "He told us all niggers steal," a CORE leader said. "He would make Negro customers stand in the middle of the store, their hands at their side, while he waited on them. He said they would steal from his shelves. He also once drew a gun on some Negro women who complained about his attitude."

A MONTH AGO CORE put a picket line around Williams' store. Dewey Shanks, who is attached to the mayor's Human Relations Committee, headed the picket line.

"Williams came out and told us we could march until our feet fell off," Shanks said. "'If you niggers don't like the way I treat you, if you don't like my prices, then dammit go buy in Grosse Pointe!' he bellowed."

Williams' store was the first Negro store burned to the ground. The revolutionaries did not do it. They didn't have to.

At a time when they ordinarily would have been headed for their pulpits, a group of Negro ministers were closeted with Ray Girardin, Detroit's police commissioner. They urged the commissioner to keep his men in check, that the looters not be fired upon. Their reasoning was that once the police opened fire hundreds of Negroes would be killed. This, they contended, would start a major riot. They further contended that if left alone the looting would simply run its course and end. The commissioner agreed.

THEY WERE ALL CORRECT but for the fact that they did not know about the agitator element, hard at work stoking the uprising.

The pattern spread to Detroit's east side. Vignettes reveal what happened next!

A weary but happy arsonist approached a Negro school-teacher on La Salle Street. "We have 12th Street in flames," he said. "Linwood is next."

A half hour later Linwood was aflame.

A Negro woman approached a Negro doctor on Euclid and bragged that she was getting paid to set fires.

An elderly Negro man who lives on La Salle went to buy groceries on Linwood. He watched in horror as six Negroes set fire to a supermarket. He drove over to Lindy's Market along Joy Road and had barely finished shopping when the same six men drove into the parking lot there. He fled home too quickly to see Lindy's Market go up in flames.

BY LATE SUNDAY THE UPRISING had spread to the fashionable, integrated Gold Coast near Seven Mile Road. Kenneth Mines, a distinguished Negro lawyer, and his wife, Shirley, a schoolteacher, shuddered with horror as a discount store a block from their \$50,000 home burst into flames.

Mines stationed himself at his front door in hopes of hosing down the house lest it catch fire also. "Halt or I'll shoot," a state policeman shouted and Kenneth Mines, one of the most brilliant and promising young Negro lawyers in America, eased back inside.

The Mines family, one of the few Negro families in the area, stayed indoors wondering if their white neighbors would seek revenge against them for what was happening. After two hours they emerged to discover that their white neighbors held them blameless.

Several miles away, along LaMothe Street, a white neighbor, pounded on the door of a Negro schoolteacher. "Please," the white man begged, "Let us hide in your home!"

THE NEGRO schoolteacher said "yes."

A few minutes later, another white neighbor fainted while listening to radio reports of the uprising. The teacher's husband, an Episcopal minister, rushed to the white home to give first aid.

Nor was that all. The wife of a Negro doctor was watering her lawn late Sunday when a car bearing five Negro men drove up.

"You black middle class bitch," one of them shouted. "You rich niggers are next!"

The police radio crackled with reports that Negro men were making cross marks in front of several middle class Negro homes. "The report is that these homes are marked for burning," the calls said.

The sun set that Sunday on a Detroit engulfed in flames, hate, doubt and racial suspicion among neighbors of many years standing. And by moonlight, dedicated revolutionaries continued their mission of bringing down the nation's fifth largest city, both physically and spiritually.

SOURCE: The Detroit News - Late Final
Tuesday, August 8, 1967

HOW ORGANIZED RIOT SNIPERS GOT RESIDENTS' HELP

(Third of a Series)

By LOUIS E. LOMAX

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Wherever there is an uprising, a sniper will be in the midst of it. And the snipers did appear in Detroit. Some of them were organized, some of them were not.

This is another axiom of revolutionaries. Once organized snipers move against the police they can depend upon the-cooperation of non-organizational people who simply, for whatever reason, want to take pot shots at the police.

The first sniper taken in Detroit was a white man. He was not shooting at Negroes. This white man was out to kill policemen.

A Negro woman on the east side looked in dismay as her next-door neighbor, a Negro man, snaked along her lawn and fired on the police through her hedges.

"WHY ARE YOU doing that, John?" she yelled.

"It's fun," he shouted back. "This is the first time I've had a chance to try out my new rifle!" He resumed firing.

These human excesses were operative in Detroit but the hard core of sniper activity was highly organized. The link between the dedicated revolutionaries and the organized sniper is more philosophical than organizational. The snipers, on the whole, were Detroit's own sons--Black Power advocates who are trained in guerilla warfare.

Detroit's sniper activity was a precision exercise worthy of study by those who direct our troops in Vietnam. They knew the terrain, the alleys, the streets, the byways and the roof tops. They monitored police calls, set off sniper activity and then vanished through the alleys.

By midnight Monday they had set up a telephone squad whose job was to make false reports to the police and thus lure the officers into traps. By Tuesday the looters and the fun seekers had their day. The professionals had taken over and Detroit, for all practical purposes, had fallen.

THE KIND OF documentary evidence that makes for conclusions will be difficult to produce for some time. Yet Detroit's responsible Negroes are casting a jaundiced eye at six persons in their community: attorney Milton Henry and his brother, Richard; Edward Vaughn, a book store owner and a Black Power advocate; the Rev. Albert B. Cleage Jr., pastor of the Central United Church of Christ; and John Boggs and his Chinese wife, Grace Lee Boggs. These individuals comprise what is without doubt the strangest Black Power amalgam in America.

Milton Henry, a former Black Muslim and close confidant of the late Malcolm X, is an ex-Army officer and one-time city councilman in Pontiac. He still lives there but exercises leadership among Black Power and black nationalist elements in Detroit. Several years ago, Henry and others organized something called "GOAL," the Group of Advanced Leadership.

GOAL fissioned into a political organization called the Freedom Now Party (FNP) and actually mounted a statewide slate of candidates in 1964.

MR. CLEAGE was the party's candidate for governor against George Romney. After losing the election, Henry announced that the group had received permission to form rifle clubs. It is a known fact in Detroit that black nationalists have been purchasing rifles and taking training under the club charter. Last year a group of Black Power advocates startled Detroit by somehow making their way onto the roof of the heavily guarded City-County Building. The men, unarmed, told reporters that they executed the feat just to convince the white power structure that they could do it. They were represented by Henry.

The Detroit Chronicle, a Negro newspaper, soon became convinced that RAM, the revolutionary organization whose New York leaders now stand charged with plotting to kill civil rights leaders Roy Wilkins and Whitney Young, was meeting in Vaughn's book store. They assigned an undercover reporter to investigate. The reporter was so frightened by what he saw and heard that he refused to write the series.

ON THE THIRD day of the riots, Vaughn issued a statement in the name of the Malcolm X Society, which he now heads. The statement was issued over the signature of Henry and his brother, Richard. It was given to the press by Mr. Cleage. The release was a copy of a telegram said the group would take to the streets and ask the rioters to cease and desist if the city and state met several conditions by 1 p.m. Wednesday. These were the conditions:

"Regarding insurrection in Detroit, we, speaking for the Malcolm X Society, will ask for cessation of all hostilities by insurrectionists providing the following eight points are accepted as a basis of discussion by 1 p.m. today:

1. Withdraw all troops.
2. Release all prisoners.
3. Give amnesty to all insurrectionists.
4. Set up district police commissioners.
5. Agree to urban renewal veto by residents.
6. Divide City Council and school board by districts.
7. Provide funds for community-owned businesses.
8. Institute compensatory and compulsory equal employment enforcement."

DICK HENRY added: "We don't control anybody in this insurrection but we do believe people would halt the insurrection if we have these eight points as a basic discussion. We want these young snipers to be recognized as men at war, not tried before the criminal jurisdiction of Michigan."

Milton Henry denies that he had any role in the uprising, but he did insist that the rioters, snipers and looters would listen. The telegram was ignored by the public officials, thus there is no way of knowing what the Henry-Cleage combine could have accomplished. This much is known: Thursday night, police arrested General Baker and Glanton Dowdell for activity in the riot area after curfew. Baker and Dowdell are two of the staunchest Black Power advocates in America. Both are alleged to be on parole. Their lawyer is Milton Henry.

Edward Vaughn was attending the Black Power conference in Newark when Detroit erupted. He returned home early Monday to "discover" that the burners and looters had spared his store.

BUT, HE CHARGED that Detroit police stormed his store, smashed pictures of Stokely Carmichael and Malcolm X and ripped the portrait of a black Christ. He said they turned on the water and flooded the place. Vaughn is suing the city of Detroit for \$10 million on the basis of 25 sworn eye-witness reports. His lawyer is Milton Henry.

John and Grace Lee Boggs simply disappeared during the uprising. Both are alleged to have association with the Peking-oriented Progressive Labor Party (PLP) which calls for open revolution in America. Their leadership in Detroit's Black Power movement is deep and effective. To Detroit's responsible Negroes the fact that the Boggs couple were totally unavailable--as in contrast to the Henry brothers and Mr. Cleage--raises doubts and suspicions that will prevent the achievement of any kind of Negro unity for a long time to come. Like it or not, the Henrys, the Boggses and the Cleages communicate and have relationships with the people who ran amuck in Detroit. The established Negro leadership does not.

It is further clear that the dedicated revolutionaries who came into Detroit and worked a brilliant military miracle were packed and gone by Wednesday. Everybody knows they were there; many people know who they were. Reporters talked to some of them but could not prove their organizational ties.

Nevertheless the threat has become reality. The dedicated revolutionaries have left Detroit--bound for other cities.

SOURCE: The Detroit News - Late Final
Wednesday, August 9, 1967

WHO ARE WHITE ALLIES OF BLACK POWER TERROR?

(Fourth of a Series)

By LOUIS E. LOMAX

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By late afternoon, Wednesday, Detroit was a city of total fright and suspicion. The phone rang in my motel room. It was a Negro schoolteacher who was supposed to be my dinner guest. Her husband, a clergyman, had agreed to babysit while she came to dinner and briefed me on what was going on in her community. She was afraid for me to visit and talk with her in her home.

"Louis," she said "I just saw three white men break into the house across the street from me. They have guns. I don't know what to do."

We discussed the possibility that the men could be snipers, and we agreed that she would not venture out of the house unless it was safe. Three hours later I received a call from her.

"Our home is under siege," she said almost hysterically.
"There are tanks and troops all over our lawn. My husband, the children and I are down in the basement on the floor in the dark."

Even as she spoke I could hear machine gun fire in the background.

"Are they shooting at your home?" I shouted.

"No," she cried back. "It's the house across the street. Oh God!" she screamed. A loud noise was heard.

"Stay on the floor," I told her. "I'll go down to police command headquarters and find out what's going on. Stay there. I'll call you as soon as I know something."

My friends had been caught in an assault on the corner house at LaSalle and LaMothe, one of the strangest and most significant occurrences of the Detroit riots.

THESE ARE THE BASIC FACTS:

The house was indeed broken into by three white men carrying weapons. But one of the white men involved had first leased the house and then sublet it to three white students from Wayne State University, who allegedly turned the mansion into a haven for drugs and women.

The students were involved with, and frequently visited by, the chairman of a far-out Socialist Party who lived across the street. The white man who leased the house broke into the premises because he was attempting to force the students to move out. The students came home an hour later and, realizing what had happened, elected to stay elsewhere. Meanwhile alarmed neighbors called the police.

The alarming truth is that disturbing numbers of white people--mostly professionals--are convinced that the evils of the ghetto are incurable this side of total revolution. They are not Communists, rather they are Americans who feel that an urban bonfire is the only thing that will make the white power structure sit up and take notice.

SOURCE: The Detroit News - Final Edition
Thursday, August 10, 1967

LOMAX SUMS UP: WILL U.S. LISTEN NOW?

(Last of a Series)

By LOUIS E. LOMAX

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As one pokes in the ruins of Detroit it is irrefutably evident that a Black Power revolutionary organization--or thinly veiled group of organizations--took over and directed the riots.

Detroit is every American city. No honest man can question the Black Power structure's indictment of the Motor City. What one can question is the Black Power advocate's basic philosophy and the militaristic actions that flow from that philosophy.

The first tenet in the Black Power theology is that there has been no change since the Supreme Court decision of 1954, and therefore the American white man is incapable of change.

I first heard this argument from the late Malcolm X as I helped him correct galley proofs of the first edition of the Black Muslim newspaper being printed at a white plant in Brooklyn.

The argument is false on both counts.

A great deal has happened to American race relations since 1954. It has happened for the Negro with training, brains and talent. It has not happened for the Negroes from Mississippi, Alabama and Georgia who have, as migrants, taken over the ghettos of our major cities and inbred their children with something approaching a congenital inability to live in and work into the American mainstream.

The original dream, the one articulated by Dr. Martin Luther King, was that we would all--black and white together--walk, live and pray together. The Negroes and whites who made sure Detroit exploded are yet another breed. They are bent upon bringing down both the nation and the system that undergirds it.

THEY HAVE LOST FAITH. They are now convinced that neither the white power structure nor I as a successful Negro really care about what happens to them from day to day.

"President Johnson will get his rat bill passed now," a Negro woman in Detroit said to me last month, with pointed reference to the cavalier way the House of Representatives had vetoed the administration bill to eliminate rats.

"I wonder what Gov. Romney prayed for in church last Sunday," A Negro Ph.D. said to me in obvious reference to the fact that Romney is a high official in the Mormon Church which holds, as a basic tenet, that Negroes are created morally inferior and thus cannot achieve the highest spiritual degree.

I stood and watched as the mayor of Detroit convened with what he deemed to be "Negro leadership" to plan the future of Detroit as it rises, Phoenix-like, from the ashes. They were the same old crowd, the same Negro leaders who have not the slightest communication with the Negro masses; the Negroes who could not foresee or stop a racial insurrection if you gave them a detailed blueprint.

THESE MIDDLE-CLASS NEGROES applauded and grinned with approval as union leader Walter Reuther, the one man who could produce jobs for the Negro ghetto, promised, "I will get my men to send in trucks and give their labor free to clean up the rubble!"

I stood outside Edward Vaughn's bookstore talking with the owner. "Look," Vaughn said as he waved a copy of my book, 'The Negro Revolt,' which had been water-soaked along with all of his inventory by the Detroit firemen, "you told them; Martin King told them; everybody who cares, white and black, told them. They did not listen."

That is the most fundamental thing written in the ashes of Detroit: Will America listen to those who write and orate their grievance under the aegis of nonviolence? Or, God forbid, the only thing they will hear is the crackling of flames, the burp of gunfire and the wail of police sirens across the nation.

The bad people are now organized. They are subsidized, trained and ready.

Are we?