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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

I-N-V-E-S-T-I-G-A-T-I-O-N
RE: Detroit, Michigan.

The Deposition of ROBERT RUBIN, ALBERT
HAMMONDS and RAYMOND RUBIN, taken before Norma Mitchell,
a Notary Public within and for the County of Monroe,
State of Michigan, at 457 Federal Building, Detroit,
Michigan, on Thursday, January 11, 1968, commencing
about 2:45 o'clock in the afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. DAVID BIRENBAUM

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Detroit, Michigan
Thursday, January 11, 1968
About 2:45 o'clock, P. M.

- - -

ROBERT RUBIN, ALBERT
HAMMONDS and RAYMOND RUBIN, were
thereupon called as witnesses herein, and after having
been first duly sworn by the Notary Public to tell the
truth, the whole truth, and nothing but the truth,
testified as follows:

EXAMINATION

BY MR. BIRENBAUM:

Q From the left to the right would the first witness please
state his name and his address.

A Robert Rubin, 7477 LaSalle Boulevard, Detroit, Michigan.

Q Mr. Rubin, what is your present occupation?

A At the present I am working with antique cars and trying
to repair the home and finishing moves of furniture
and personal effects from New York City to the Detroit
home.

I was a student and will be returning to
school as soon as I can see my way clear.

Q Were you formerly a coin dealer?

A Yes.

Q What is your present age?

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A Twenty-seven.

Q Would the next witness please state his name and place of residence?

ALBERT HAMMONDS: My name is Albert Hammonds. I live at 30125 Elmwood, Garden City.

Q How old are you?

ALBERT HAMMONDS: I am 20.

Q Are you presently employed?

ALBERT HAMMONDS: No, I am not.

Q Are you in school?

ALBERT HAMMONDS: No.

Q Would the next witness please state his name and give us his address?

RAYMOND RUBIN: My name is Raymond Rubin. I live at 29919 Balmoral, Garden City.

Q How old are you?

RAYMOND RUBIN: Eighteen.

Q Are you in school or are you employed?

RAYMOND RUBIN: I am employed by General Motors at Willow Run, Michigan.

Q What is your position with General Motors?

RAYMOND RUBIN: Assembler.

Q Mr. Robert Rubin, do you presently own a home in Detroit?

A Yes, at 7477 LaSalle Boulevard.

Q When did you purchase that house?

- 1 A April of 1965.
- 2 Q Have you lived in it since that date?
- 3 A Not the entire time.
- 4 Q When did you leave the home, the house rather, do you
- 5 recall?
- 6 A It was in May of 1966.
- 7 Q For what purpose did you leave?
- 8 A To move to New York City to attend school there.
- 9 Q During your absence from Detroit did you rent the house?
- 10 A Yes.
- 11 Q To whom was it rented?
- 12 A It was rented to a Jack Juratovic and a James F. Earl,
- 13 E-a-r-l.
- 14 Q This would have been in May of 1966, is that right?
- 15 A I believe it was May of 1966.
- 16 Q Was the relationship with your tenants a satisfactory
- 17 one?
- 18 A No.
- 19 Q What was the trouble?
- 20 A They never paid their rent on time. They did a few
- 21 times but I think they owe for six or seven months at
- 22 \$300 a month.
- 23 Q Did you have any complaints that they were using the
- 24 house for purposes which would have been of concern to
- 25 you?

1 A I know they were abusing the house. They had unauthorized --
2 without having authority to do so, they had put cork
3 panelling on the walls and painted garrish colors on
4 the walls. They had redesigned the chandeliers with
5 beer cans in certain positions and they had made a pig-
6 sty of the home actually.

7 Q Did you have any complaints about their behavior from
8 the neighbors?

9 A I was told that they were racing cars, high powered cars
10 at top speeds, squealing the wheels and partying and
11 having bands and flocks of people were supposed to be
12 going in and out day and night for parties and things.

13 Q Did you take any action because of your tenants' failure
14 to pay the rent on time?

15 A Action was taken against the tenants.

16 It was even very difficult to serve them
17 because they would never submit themselves to being
18 served by a process server.

19 Q What was the nature of this action that you took?

20 A An eviction.

21 Q Was this in March of 1967, do you recall?

22 A I don't recall the date.

23 Q Had the action, this eviction action, been concluded
24 prior to the riot in Detroit in July of 1967?

25 A You mean had they been evicted from the house?

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Q Yes.

A No. I understood that they had evacuated.

Q Did you go back to the City of Detroit in July?

A Yes.

Q Why did you return?

A Because of two reasons. Number one my grandmother was real ill and the second reason was that I heard the tenants had evacuated the house and I wanted to remove some valuable personal properties from the house.

Shortly thereafter I was told to go into the house and take peaceful possession of it. Change the locks and barricade the home from their possible entrance.

Q Who told you to do that?

A This was told to me by Jack English, an attorney in the Penobscot Building.

Q He was your attorney at the time?

A He was representing the case at the time.

Q In the eviction action?

A Right.

Q When you arrived in the city where did you go?

A I stayed with my brother and sister-in-law in Garden City, Michigan.

Q Did you go to your mother's home at some point after you arrived in the city?

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A Yes.

Q Did you meet anyone there?

A My brother and I think, I am not sure of this, I think Albert Hammonds was there also.

Q Do you recall, Mr. Hammonds, were you there at that time?

ALBERT HAMMONDS: The day that we came down to the house I was down the street and Ray asked me if I wanted to help him move some stuff from the house for his brother.

Q Did the three of you then proceed to the home?

ALBERT HAMMONDS: Me and Ray walked down to the house and Bob was on the phone and me and Ray waited outside until Bob came out.

Q Were the tenants there when you arrived?

A No.

Q So the house was evacuated?

A Yes.

Q Was one of the reasons for your return to the city on July 26th a concern about what might happen to the house during this disorder which was then occurring in Detroit?

A I was very, very concerned about it.

Q When you found the tenants not present in the house did you then call your attorney?

A Let me see -- I had talked to him several times that day.

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I talked to him from the house also that evening before this happened.

Q And he advised you to take physical possession of the house?

A Right.

Q Did you follow his instructions and take physical possession?

A Yes.

Q Before going into the house did you obtain a rifle for use as protection?

A Right. As protection from the tenants because in the past they had forcefully -- well, they had forced me out of the house with what I identified as a .45 automatic and I certainly didn't want to be in there without any protection in case they came in armed trying to force us out.

Q So that you were concerned that the tenants might come back and find you there and create some trouble?

A Right.

Q Where did you get the gun?

A My father's home.

Q Was this a hunting weapon? What use had he made of it?

A I can't say that gun had been fired more than once the entire time that I had owned the gun.

Q It was your gun?

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A Yes.

Q How long had you owned the gun, just approximately?

A About six years.

Q I see.

Mr. Raymond Rubin, did you then take the gun and test it to see whether or not it operated?

RAYMOND RUBIN: Yes. About two hours after we was inside the house we grabbed two cushions out of a chair and went in the basement and set them in the fireplace and backed up 'about 20 or 30 feet and fired the gun.

Q Later on that day, Mr. Rubin, do you recall calling your wife in New York advising her of the situation?

A My wife called me from New York.

I did advise her of having taken possession of the house and I told her that I was advised to do so.

Q Off the record for a moment, please.

(Whereupon a discussion was held off the record.)

Q (By Mr. Birenbaum, continuing): Back on the record again, please.

Mr. Rubin, did you call your wife directly in New York?

A No, I did not. I called my mother and told her to call

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my wife and have my wife call me at the LaSalle house for the reason that I did not want to use my tenants' phone for long distance charges.

Q Did the tenants then return that evening?

A Yes, they did.

Q What was their purpose in returning?

A They wanted in.

Q What did you do?

A I had been instructed earlier to put a note on the door advising them to call Mr. English for instructions relating to their picking up their personal belongings and for him to answer any questions that they may have.

Q And they left?

A They did not leave immediately.

They left, they said something like, "You will be sorry". They made some kind of a threat to me and I think it was, "You will be sorry," or something along that line.

I saw them walk towards -- let me see -- they walked west on LaMothe Street and where they went at that point I don't know.

Q Did you then call your wife to advise her that the tenants had attempted to come back and to request further protection?

A I called Mr. English shortly thereafter. I don't remember

1 exactly when but it was after they had appeared.

2 Q So you are not sure whether you called your wife at that
3 point or not.

4 Do you remember talking with her again
5 that evening after the first conversation we just
6 discussed?

7 A May I speak with her?

8 Q Off the record for a moment.

9 (Whereupon a discussion was held off the
10 record.)

11 A I talked to her again that evening relating to her
12 sending my German shepherd dog from New York into Detroit.

13 I was still afraid the tenants might use
14 one of several ladders in the garage to attempt to come
15 in the second floor or one of the windows or possibly
16 come in through one of the basement windows and this dog
17 is trained to watch for intruders. She is very vicious
18 and I felt that the dog -- in such a large house as this
19 it is impossible to hear noises occurring just a few
20 rooms away because of the construction being so solid.
21 I knew -- I felt that the dog most certainly would hear
22 any noises that our ears could not.

23 I requested that she send Kola, K-e-l-a,
24 which is the dog's name, by United Airlines into
25 Detroit Metropolitan Airport. They have a kennel service

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on their airlines.

I believe that was the last time I talked to her that evening.

Q At approximately nine o'clock a National Guard column pulled up in front of the house. Who was the first to become aware of the fact that the National Guard group was in the street?

RAYMOND RUBIN: I was.

Q Where were you at the time, Mr. Rubin?

A In the master bedroom.

Q Is this master bedroom facing the street or where were you in relation to the National Guard group?

RAYMOND RUBIN: It is on the corner and it faces on the street, I mean, there is windows that face both streets and I was facing LaSalle and I told Al I said, "The National Guard are surrounding the house,".

We went down and told Bob and I said, "They are surrounding the house, maybe they are chasing a looter or something and he is around the house." I said, "It looks like they are going to shoot." Bob said no, "Why should they, there is no reason to."

We started to walk out of the bedroom and the shooting started and we was in the hallway sitting down and it was getting intenser and intenser

1 and it was getting really heavy and Bob said, "Let's
2 go upstairs." Then we ran to the third floor.

3 Q Mr. Hammonds, were you able to see the National Guardsmen
4 in the street?

5 ALBERT HAMMONDS: I saw him after Ray
6 said they are surrounding the house.

7 Q When we refer to the National Guard group what kind of
8 armaments did they have, Mr. Rubin?

9 RAYMOND RUBIN: Rifles and they was in
10 green uniforms and helmets.

11 Q Were there tanks in the street?

12 RAYMOND RUBIN: I didn't notice. I saw
13 them surround the house and it frightened me so I didn't
14 even look outside again. I ran down and told my brother.

15 Q So you didn't see what kind of vehicles they had?

16 RAYMOND RUBIN: No.

17 Q Nor did you observe them when they began firing on the
18 house?

19 RAYMOND RUBIN: No.

20 Q Prior to the time the firing commenced did any of you
21 hear a warning or any other indication from the
22 National Guard that they might begin firing on the
23 house?

24 RAYMOND RUBIN: No. There was one time
25 when Albert and I saw this National Guard -- why they

1 were shooting at the house -- we was on the third floor
2 and there was a dress in the closet and Bob handed it
3 to Albert and we ran over to the window to wave it
4 outside and tell them we was up there and stop shooting.
5 At that time they started shooting at the windows up
6 on the third floor.

7 Q Mr. Rubin, where were you when the firing began?

8 A I was in the northwest bedroom on the second floor of
9 the home and I was preparing to lock a window on the
10 north side of the house in that bedroom. The most
11 westerly window of the north side of the house.

12 Q From your vantage point in that room were you able to
13 see the National Guard in the street?

14 A I didn't know if they were National Guard or what they
15 were but I did see men in uniforms crawling on their
16 knees, hiding behind trees and falling to the ground
17 and crawling some more with weapons in their possession.

18 Q Did you hear a warning from the National Guard group?

19 A No.

20 Q Mr. Raymond Rubin, I believe you testified that you went
21 up to the third floor after the shooting began.

22 Did you go up to the third floor after
23 the shooting had begun?

24 RAYMOND RUBIN: Yes, we ran.

25 Q You ran up. What was your purpose in doing that?

1 A As I explained before it seemed like whatever was
2 happening -- if this was happening -- I still didn't know
3 at that time that anything was happening to the house
4 but I did feel that whatever it was was certainly at a
5 lower level and the safest place would be to go up to
6 the third floor and that is the reason I suppose.

7 Q Is there a large chimney on the third floor?

8 A There is two of them.

9 Q Did you use the chimney as a protection against possible
10 bullets entering the house?

11 A No, we ran -- well, we stood at the landing on the third
12 floor for a few seconds until I was trying to -- then
13 the shooting kept getting more intense and I was trying
14 to determine where would be the safest place to escape
15 any possible physical damage.

16 Q Did the chimney afford some protection against the
17 bullets?

18 A Yes, yes -- well, the chimney -- I didn't know that at
19 the time but I can see now that the chimney took quite
20 a beating.

21 Q So the bullets were entering the house at that point?

22 A I don't know that they were.

23 Q Mr. Raymond Rubin, you testified that you displayed
24 an article of clothing to the National Guard group at
25 one point.

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Was that a pink bathrobe, do you recall?

RAYMOND RUBIN: That we waved out the window?

Q Yes?

RAYMOND RUBIN: No, it wasn't.

Q It was not a pink bathrobe?

RAYMOND RUBIN: No, I think it was yellow, if it makes any difference, I am not sure.

Q I see. What was your purpose in hanging that bathrobe out the window?

RAYMOND RUBIN: To let them know we was up there. We wanted them to stop shooting so we could come out.

Q In other words, it was comparable to a flag of surrender?

RAYMOND RUBIN: Yes.

Q Okay. Did there come a time when all three of you went out of the house, left the house?

RAYMOND RUBIN: Yes.

Q Had the firing stopped before that?

RAYMOND RUBIN: Yes.

Q Was this after you had shown this bathrobe?

RAYMOND RUBIN: Yes, it was.

Q What happened when you left the house?

RAYMOND RUBIN: We ran to the first floor and we opened the dining room windows and Bob

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jumped out and I jumped out and Albert ran in to get my shoes out of the living room.

As we jumped out they ran up -- I think there was three or four of them and they said, "Move, move, move."

Q By that you mean the National Guard soldiers?

RAYMOND RUBIN: Yes, men in green uniforms and they laid us in the street and I would say about a minute later Albert jumped out of the window -- they asked if anybody else was in there and I said yes, one more and he jumped out and we were laying in the street because they moved us out to the alley after that.

Q Did they then arrest you?

RAYMOND RUBIN: I don't think we were arrested until the police came in the paddy wagon.

Q The National Guard called the police and told them to come, is that the story?

RAYMOND RUBIN: I have no idea.

Q But in any event you were lying on the ground face down?

RAYMOND RUBIN: Yes.

Q And you remained there for a period of time?

RAYMOND RUBIN: Just a few minutes. We was removed to the alley and searched.

Q The National Guard held you then until the police arrived?

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RAYMOND RUBIN: Yes.

Q What happened at that point?

RAYMOND RUBIN: We were moved from the alley to the front of the house and we had to stand on the fence with our hands leaning on the fence and our feet out as far back as they would go until the police arrived. We were then handcuffed and put in the paddy wagon.

Q You were then brought to jail?

RAYMOND RUBIN: The Tenth Precinct.

Q What happened when you arrived at the Tenth Precinct?

RAYMOND RUBIN: We were fingerprinted and had our mug shots and put in the bull pen.

Q Had any of you been injured either during the shooting or thereafter prior to the time you arrived at the Tenth Precinct?

A I had been hit on the knees and legs and back with rifle butts as I remember and also a bayonet was put at my rectum and it pierced a little bit.

Q Had you attempted to resist?

A No, absolutely not.

Q Was there any explanation given to you by the National Guardsmen for this behavior?

A For the beating?

Q Yes.

1 A You mean about the rifle butts, they just kept -- let's
2 see what were they saying -- something about cop killers
3 and snipers and they kept saying snipers and using
4 profanity. They kept asking why we shot and what did we
5 think we were trying to accomplish.

6 Q Did you respond to the questions?

7 A Yes, I told them that there had been -- no one had shot
8 from the house at any time.

9 Q Is that true, had any of you fired that rifle at the
10 Guardsmen?

11 ALBERT HAMMONDS: No.

12 RAYMOND RUBIN: No.

13 Q Mr. Robert Rubin?

14 A No.

15 Q Had you been injured at all, either of you?

16 ALBERT HAMMONDS: No.

17 RAYMOND RUBIN: No.

18 Q Had you been injured before you arrived at the police
19 station?

20 RAYMOND RUBIN: Just a nudge in the back
21 with a bayonet every once in awhile and they had hit us
22 on the legs with rifles saying, "You lousy snipers, you
23 will learn."

24 Q Was this your experience, Mr. Hammonds?

25 ALBERT HAMMONDS: Yes.

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Q You arrived at the police station then and were immediately put in the bull pen, what is the bull pen?

RAYMOND RUBIN: It is a group of cells with a cat walk that surrounds it.

Q Did any of you request an opportunity to make a telephone call or contact anyone?

A Yes, I did. They told me that the phones were all out of order. In fact, as I remember the cord was severed from the telephone at the precinct.

Q You then went into the bull pen together with the other two?

A Initially we were all put in there together, yes, as I remember.

Q Did the police advise you of the charges that had been brought against you?

A Upon arriving at the police station?

Q Yes.

RAYMOND RUBIN: Can any one of us answer that?

Q Yes.

RAYMOND RUBIN: As we moved in the paddy wagon one of the National Guardsmen said, "What do you have there," and someone said, "Three snipers," and he said take them in the back door.

Q I see. Did there come a time when each of you was

1 removed from this bull pen?

2 Start with Raymond Rubin.

3 RAYMOND RUBIN: Yes, we was -- all three
4 of us was removed to be interviewed and investigated.

5 Q Who was the first?

6 ALBERT HAMMONDS: I was the first to be
7 questioned.

8 Q Could you tell us what happened?

9 ALBERT HAMMONDS: Well, they took us,
10 all three of us --

11 Q (Interposing): Who were they?

12 ALBERT HAMMONDS: The detectives.

13 They took us into the interrogation room
14 and all three of us sat at the desk and they took the
15 handcuffs off us.

16 They took Bob and Ray over by a Coke
17 machine and I was questioned by myself. He asked me,
18 the detective asked me all about my friends, you know,
19 what kind of friends I hang around with at home and I
20 told him and then he asked me about why we were shooting
21 and I told him we wasn't shooting at anyone. He asked
22 me about why I was with Ray and Bob and I told him that
23 Ray had asked me earlier in the day to help him and his
24 brother move some stuff from the house and he says
25 all right.

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2 Then he took me back and just as he was
3 taking me back to the cell he said, "You are going to
4 learn to tell the truth before you leave here."

5 I didn't notice Bob and Ray at first but
6 after I got a little way past them they were standing
7 by a Coke machine and the one detective took me back
8 to the cell and he undone the handcuffs and just as he
9 turned to walk away he nodded his head and the National
10 Guardsmen pushed me up against the wall and I stood
11 straight and this one police officer started to kick
12 me and I stepped back and just as I stepped back my head
13 come down a little bit and he come up with a blackjack
14 and hit me under the left eye. I grabbed my eye and
15 started to fall to the ground and somebody hit me over
16 the right eye and when I was on the ground there was
17 about five or six police officers and National Guardsmen
18 kicking me in the back. One of the police officers
19 hollered for me to get up and I started to get up, I
20 was in a squatting position, and the police officer
21 that was on the right side of me grabbed me by the ear
22 and pulled me up.

23 Then they unlocked the cell and pushed
24 me in the cell. I took off my sweatshirt that I had
25 on and I walked to the back and by this time my nose
and my lip right here was bleeding and my ear was

1 bleeding and I laid down on the floor in the back part
2 of the catwalk.

3 Then a few minutes later Ray come in and
4 I heard somebody holler, "Blood." Everybody moved
5 away and he walked down the middle of this catwalk and
6 he says, "They got me." He was holding the back of his
7 head and I looked up and he says, "Oh, they got you, too."

8 I don't remember anything after that but
9 about -- I guess it was five o'clock they took Ray to
10 the hospital to have his head sewed up.

11 The one police officer that came through
12 to take him out, he looked at me and he grabbed me by
13 the chin and he says, "There is nothing wrong with him,"
14 and threw my chin off to the side. Just at that time
15 I threw up all over the floor.

16 About a quarter after five or 5:30 they
17 took me and Bob and they put us out in the garage part
18 of the Tenth Precinct. We was out there all day Thursday
19 and about two o'clock Friday morning they put us on a
20 bus and brought us down to Beaubien and we sat on the
21 bus until about 5:30 or six o'clock. Then they put us
22 in the garage at Beaubien and we was down there until
23 we went to Court Friday afternoon.

24 Q Mr. Hammonds, when you refer to the catwalk to which
25 you were returned following this beating, do you mean

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that you were returned to your cell?

ALBERT HAMMONDS: Yes.

Q Were there a large number of people with you at that time in the cell?

ALBERT HAMMONDS: Yes, there was.

Q Do you recall talking about this experience with any prisoners at that time?

ALBERT HAMMONDS: No, I don't.

Q But you were in a state of shock at that point, weren't you?

ALBERT HAMMONDS: I was so bad I could hardly see my hand in front of my face.

Q Mr. Raymond Rubin, after you had been separated from Mr. Hammonds what happened?

RAYMOND RUBIN: Bob and I was standing by the Coke machine.

The National Guardsmen guarding the group of prisoners kept saying, "One move out of you and you're dead." He just kept saying it. Every five or six minutes he would say it.

Bob asked if he could have a Coke and this one officer came by and he said that when he talked to him that he had better say yes, sir and he said, "Do you understand me," and Bob said, "Yes, ". He says, "Yes, what," and Bob said, "Yes, sir." And he

1 he says for two words I would kick you in the groin
2 but he used other words and later on, about five minutes
3 after that, I was removed from Bob.

4 I was investigated or questioned. They
5 asked me questions, if I have a girl friend, where does
6 she live, what do my friends do, if I work or anything
7 like that. Then I was handcuffed again and returned
8 back to the bull pen.

9 As I was unhandcuffed the National
10 Guardsmen started to unlock the door and he nodded his
11 head and someone, I could hear him leap off the ground,
12 and I heard, "Lousy sniper," and something hard came
13 down and hit me in the back of the head. Immediately
14 blood started gushing out and I tried to look around
15 to see who did it and I was then hit in the neck and
16 the door flew open and they pushed me in. I couldn't
17 see who did it or what did it.

18 Q Were you struck by his hand or did he have an instrument
19 of some kind?

20 RAYMOND RUBIN: It was very hard, something
21 like an instrument.

22 Q Mr. Robert Rubin, what was your experience after you
23 were separated, after Mr. Hammonds was separated from
24 you?

25 A This one officer walked up, looked me in the face, and

1 told me that every time I saw him pass by or every time
2 he looked at me I was to say, "Yes, sir," otherwise --

3 Q (Interposing): Was this a police officer or National
4 Guardsman?

5 A A police officer.

6 Otherwise he would kick me in the --
7 shall I use the exact words? Otherwise he was going to
8 kick me in the balls as he said.

9 I was very cooperative. Every time he
10 looked at me I said, "Yes, sir."

11 After some time my brother Raymond was
12 separated from me. I was left standing by the Coke
13 machine and as far as I knew he was being interrogated
14 by the detectives. That was my idea on the matter.

15 Sometime later I was myself called in
16 and questioned and the detective told me that I might
17 as well admit to having shot at the National Guard
18 and the tank because they had -- I believe they said
19 20 eyewitnesses. He said, "You will save us a lot of
21 trouble and inconvenience if you will admit to it now,"
22 and he said, "It will go a lot easier for you." I
23 said, "There is nothing to admit to. I have told you
24 the absolute truth about not having fired any shots
25 or having any knowledge of any shots having been fired
from the house". Then at which point he kept insisting

1 that they had 20 eyewitnesses who had seen this happen
2 and about that time I refused to answer any further
3 questions of any kind. I was scared out of my wits.

4 I think they wanted me to sign some type
5 of form and as I remember I did not sign anything. I
6 refused to talk, to answer any more questions.

7 After this I was led from the detective's
8 questioning area, through the hall and back past the
9 Coke machine where we had been standing, to the center,
10 the approximate center of the front desk at the precinct.
11 At this point the detective, I assumed he was a
12 detective, told me to walk in the direction of the bull
13 pen which I did. He left my company and returned, and
14 started to go in the direction of the interrogation
15 area.

16 When I got back to the door of the bull
17 pen -- and getting back there I was pushed through a
18 line, by a line I mean a path which was through -- which
19 I was told to walk very fast and/or run, in fact, both,
20 and on either side of the path or the aisle were
21 National Guards and policemen.

22 Let me say it more accurately. As I can
23 remember at this point there were uniformed men with
24 rifles et cetera and walking through that I was hit
25 several times with rifle butts.

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When I got back to the door I wanted to get in that bull pen so badly and get away from all those rifle butts and get away from everything but no one was there to open the door.

I was called all kinds of names, the full range of profanities, and I was further hit with bayonets.

Then while standing in front of the bull pen door the officer who told me to say, "Yes, sir," every time he looked at me appeared and I looked at him and he looked at me and he said, "I thought every time you looked at me you were supposed to say yes, sir". Then as he said yes, sir, I believe it was his right foot kicked me in the pubic region, the genitals and I doubled over in a U-form. I could hardly -- the pain was excruciating.

I was told to get up and by this time I was still in very severe pain and I was in tears. I was told to face the wall directly opposite from the bull pen door.

Shortly thereafter I was -- I felt a blow to the right, just behind my right ear, and a few minutes later -- of course, I remember nothing that happened in that period. But a few minutes later I got up, I was told to get up, and I barely could. I

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think someone helped me up and I was led back to what I call the back desk which is directly behind the front desk separated by a wall and a door. There liquid was thrown in my face, I believe it was water, and some officer said, "Do you feel kind of woozy".

There was also another man that appeared at that time. I remember him by big block letters on his uniform jacket which spelled L-e-s-k. He appeared to be a high-up officer in the National Guard. He appeared, I believe, shortly after I was getting up off the floor after having been knocked unconscious. I also think that he accompanied or was very nearby from the moment I got up from the floor and was led back to the back desk. I definitely remember seeing him at the back desk and there was moments when I seemed to recollect his having been there shortly after I arose from the floor after being knocked out.

He made several derogatory statements and used quite a bit of profanity and told me if it had been he who was there at the house he would not even have given me the opportunity to have come to the Tenth Precinct, that he would have shot us dead on the spot.

After that I was put back into the bull pen at which time I was still in quite a daze but I remember seeing Al and I have described what appeared to

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be on his forehead as a "doorknob". It was a hideous knot on his forehead. His eye was completely swollen shut and I believe I asked him where Ray was and he barely knew what was going on, Al did, and then I noticed my brother Ray lying in a pool of his own blood on the floor.

There was one other thing. My glasses were removed from me while I was standing in the hall opposite the bull pen facing the wall. My glasses were removed from me and they were, the lenses were stomped out of them and after I -- sometime in there the palms of my hands were rubbed in the broken glass and I had quite sore hands for quite some time.

Going back to the bull pen, my brother, the pool of blood was getting larger all the time and some man, whom I later learned the name of Robert Lee Butler, had been in the bull pen when we first had been put in there without any of these injuries just described. He saw us both before and after the beating and he kept yelling and hollering that there was a boy dying, bleeding to death, in the bull pen, would someone please help.

He -- eventually after some time, quite sometime as I remember, someone came in and removed, I presume an officer came in although I don't know --

1 I don't think he had a uniform on, he removed my brother
2 and as to where they had taken him I had no idea. I
3 assumed that it was for medical help and that was the
4 last I saw of my brother for a few days. I don't recall
5 exactly when it was I saw him next at this point.

6 Q Was the area where the beatings were administered visible
7 from the cell itself?

8 A Not from the entire cell but from the opening in the
9 door.

10 Q So that a prisoner incarcerated in the bull pen could
11 see a portion of the area where the beatings were
12 administered?

13 A Well, the closer to the door he would get the greater
14 perspective his eye would encompass.

15 Q I see.

16 Mr. Rubin, after you were removed from
17 the bull pen you then were transported to a garage in
18 which you were incarcerated for some time.

19 Could you describe the conditions in
20 which the prisoners were being housed?

21 A The garage has a drain in the center of the floor. I
22 would say the garage could possibly be about 30 feet
23 by 30 feet. There were over a hundred men in that
24 garage.

25 The center drain is -- the floor of the

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garage slopes down to the center drain -- the center drain was blocked, was stopped up and in order to have a bowel movement or to urinate it was necessary to urinate or excrete in a large pool which was approximately 12 feet in diameter and possibly, maybe a foot deep in the center. It was many, many hours before they corrected the drain and in the meantime human excretion was all over and we had to eat with the smell and the excretion right in front of us.

Q Approximately how many people were in the garage at that time?

A As I remember there were over a hundred. I remember the figure 107 having been told to me by someone.

Q When were you finally arraigned? Brought before a Magistrate?

A I don't remember the date.

ALBERT HAMMONDS: It was Friday about I would say three o'clock in the afternoon.

Q What occurred at that arraignment?

ALBERT HAMMONDS: A bond of \$25,000 was placed on each of us.

RAYMOND RUBIN: The three of us were back together in a group again. From Wednesday night to Friday I was --

Q (Interposing): Were you able to make this bond?

1 A No.

2 Q Were you then returned to jail?

3 A Yes.

4 Q Did you go back to the Tenth Precinct?

5 A No.

6 ALBERT HAMMONDS: We were put on DSR
7 buses out beside the Recorder's Courtroom.

8 Q For how long did you remain on those buses?

9 ALBERT HAMMONDS: We was on the bus until
10 about, I would say, two o'clock Saturday. Then we was
11 taken into Wayne County and processed through Wayne
12 County and put back on the buses. We sat out on the
13 bus until Sunday afternoon then they took us to the
14 beach house at Belle Isle.

15 Q So altogether can you approximate how many hours you
16 spent on the bus?

17 ALBERT HAMMONDS: About two days.

18 Q During that period of time were you given food?

19 ALBERT HAMMONDS: Two sandwiches a day.

20 Q That was the total food that you were given?

21 ALBERT HAMMONDS: Yes.

22 Q Were you removed from the buses periodically?

23 ALBERT HAMMONDS: Only when we was
24 processed through Wayne County.

25 Q Were there any toilet facilities on the bus?

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ALBERT HAMMONDS: They had a wooden house-like over a drain on the side of the street and they would let us go off the bus one at a time.

Q You slept aboard the bus?

ALBERT HAMMONDS: Yes.

Q Who was guarding the bus, National Guard or police officers?

RAYMOND RUBIN: Air Force. They had "Air Force" written on their green uniforms.

Q I see.

When were you released from jail?

ALBERT HAMMONDS: Friday, August 5, about seven o'clock at night.

RAYMOND RUBIN: Five-thirty.

Q Mr. Hammonds, you just stated that the date of your release was August 5th. Are you sure it was August 5th?

ALBERT HAMMONDS: It was the 4th on a Friday.

Q And before you were released was there a Court proceeding at which you appeared?

ALBERT HAMMONDS: We were in the cell next to the Courtroom and they took me and Ray out and they set us in that booth there by the Judge's stand and we sat there until the lawyer finished.

Bob was still inside.

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They let us go and they finished with Bob --
we waited outside the Courtroom until they finished with
Bob.

Q Following your release from prison was there further
Court proceedings in the nature of a preliminary
examination?

A August 7th.

Q Did you appear in Court at that time?

A Yes.

Q This was true of the other two witnesses as well?

ALBERT HAMMONDS: Yes.

RAYMOND RUBIN: Yes.

Q Mr. Robert Rubin, can you tell us what happened at that
proceeding?

A The charges were dismissed against the three of us.

Q As a consequence of the injuries which you received at
the Tenth Precinct, Mr. Robert Rubin, were you required
to undergo any hospitalization for further medical
treatment?

A I have had an awful lot of difficulty with my eyes. I
have had seven pair of glasses made since then and my
eyes keep changing.

I have had to use medication for my anus
and I have had quite a bit of pain in my genital region,
still to this day.

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I still need psychiatric help from all of this. Loud noises terrify me. Some time ago in New York I walked out of a building and there was construction going on with an air hammer and the next thing I remember I was back in the building in a telephone booth on the floor and had no recollection at the time of how I got in there.

I have been taking tranquilizers and will certainly seek, must seek further help from the physical and mental damages which were caused there.

Q Have either of the other two witnesses received further medical treatment as a consequence of the injuries which you received?

RAYMOND RUBIN: I have been having severe headaches so I have an appointment with a doctor tomorrow night because the spot where I was hit has been tender ever since it happened.

Q How about you, Mr. Hammonds?

ALBERT HAMMONDS: No, I haven't.

Q Mr. Robert Rubin, do you recall the name of the officer who instructed you to refer to him always as, "Yes, sir"?

A I identified his picture at the Civil Complaint Bureau of the Detroit Police Department and was told his name was Charles Walmsley, W-a-l-m-s-l-e-y.

I also identified his photograph on

1 Tuesday of this week to the F.B.I.

2 I also identified a photograph of the man
3 who had written on his jacket L-e-s-k, to the F.B.I.
4 this week.

5 Q Did Officer Walmsley have a badge or any other means of
6 identification while in the stationhouse?

7 A I don't remember him either having one or not having one
8 on him.

9 Q Going back to the time when you left the house, shortly
10 after the National Guard firing had ceased, did the
11 officers make any threats to you about running you down
12 with the vehicle?

13 A Yes. While we were laying on LaMothe Street with our
14 heads facing east, on our stomachs, someone ordered the
15 tanks to run us over.

16 Q Did the tanks actually approach you?

17 A The tanks, as I remember, did move somewhat but stopped.

18 Q Is this the recollection of the other witnesses as well?

19 ALBERT HAMMONDS: Yes.

20 RAYMOND RUBIN: Yes.

21 Q Mr. Raymond Rubin, did anything unusual happen when you
22 were being transported from the jail to the hospital?

23 RAYMOND RUBIN: Yes, I was beaten from
24 the time we left the precinct on Livernois until the
25 time we reached Detroit Receiving Hospital.

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During that time we had passed a caravan, or just a group of jeeps and one tank, and they yelled out of the back of the truck, "Do you want to see what an ass hole looks like who starts a fight with a tank and all he had was a .22," and they said yes and I was removed from the truck and surrounded and just about then a semi was coming through town, it was before curfew, it was before time for it to be lifted, and they stopped it and started searching the truck. They said well we have other things to do so they put me back in the wagon and started to beat me again until we reached Detroit Receiving Hospital.

Q Were they beating you with their fists?

RAYMOND RUBIN: Rifles. They hit me in the left temple with rifle butts, in the left temple, right ear and the right knee.

Q And these were National Guardsmen who were doing this?

RAYMOND RUBIN: Yes.

MR. BIRENBAUM: I believe that is all the questions I have.

(Whereupon the deposition was concluded.)

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STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Norma Mitchell, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Monroe, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me in the before-entitled cause on January 11, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth in the cause aforesaid, that the testimony contained in said deposition then given by said witness was by me reduced to writing in the presence of said witness by means of Stenography, and afterwards transcribed upon a typewriter under my personal supervision; and that the said deposition is a true and correct transcript of the whole of the testimony so given by the said witness as aforesaid.

I do further certify that I am not connected by blood or marriage with any of the parties, or their attorneys, or agents, and that I am not an employee of either of them, nor interested, directly or indirectly, in the matter in controversy, either as counsel, agent, attorney, or otherwise.

BETZ, ROWLEY AND SUMMERS
QUALIFIED COURT REPORTERS
WOODWARD 1-3933

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IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal at Detroit, County of
Wayne, State of Michigan, this 26th day of January,
1968, A. D.

Norma Mitchell

Norma Mitchell
Notary Public, Monroe County, Michigan
My Commission expires March 19, 1971.

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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

I-N-V-E-S-T-I-G-A-T-I-O-N

Re: Detroit, Michigan

The Deposition of JOHN O'BRIEN, BOYD
 SIMMONS, and ALLAN BLANCHARD, taken before Gerald Hanson,
 a Notary Public within and for the County of Wayne, State
 of Michigan, at 823 Federal Building, Detroit, Michigan,
 on Tuesday, January 9, 1968, commencing about 3:30 o'clock
 in the afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. HERMAN WILSON

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Detroit, Michigan
Tuesday, January 9, 1968
About 3:30 o'clock, P.M.

- - -

JOHN O'BRIEN, BOYD
SIMMONS, and ALLAN BLANCHARD, witnesses
herein, after having first been duly sworn by the Notary
Public to tell the truth, the whole truth, and nothing but
the truth, testified as follows:

- - -

MR. WILSON: Starting from right to
left would you state your name and home address for the
record, gentlemen?

MR. BLANCHARD: Allan Blanchard.
20690 Vernier Circle, Grosse Pointe Woods, Michigan.

MR. SIMMONS: Boyd Simmons. 1460
Bates, Birmingham, Michigan.

MR. O'BRIEN: 409 Arbana, Ann Arbor,
Michigan.

MR. WILSON: All of you gentlemen are
engaged in some phase or another in the newspaper business?

MR. BLANCHARD: Yes.

MR. O'BRIEN: Yes. I am the managing
editor and he is (indicating) presently assistant managing
editor.

#4

1 MR. WILSON: Mr. Simons, you are
2 indicating?

3 MR. O'BRIEN: That's right.

4 MR. SIMMONS: I was at that time.

5 MR. O'BRIEN: And Mr. Blanchard is a
6 staff reporter.

7 MR. WILSON: And what newspaper?

8 MR. O'BRIEN: Detroit News.

9 MR. WILSON: Were all of you gentlemen
10 there during the month of July, 1967?

11 MR. O'BRIEN: Yes.

12 MR. WILSON: Can you tell me whether
13 at some point during that month you all became involved in
14 a particular homicide which occurred during the Detroit
15 disorders?

16 MR. O'BRIEN: Well, several.

17 MR. WILSON: Did you become involved
18 in a particular homicide involving a young man named
19 Dalton?

20 MR. SIMMONS: Yes.

21 MR. WILSON: Now, Mr. Simmons, can
22 you tell me how you received notice of this particular
23 homicide?

24 MR. SIMMONS: I received an anonymous
25 call from a girl who said she had seen this Dalton boy

1 arrested near her home and marched down the street by
2 two policemen, his hands in the air, and she had heard
3 later that he was found dead on Grand River and she was
4 curious how this could be and asked us what we knew.

5 We didn't know anything except that
6 he had been found dead, so I assigned Allan Blanchard to
7 find out about it.

8 MR. WILSON: And, Mr. Blanchard, can
9 you tell me what actions you took after the case -- the
10 matter had been assigned to you by Mr. Simmons?

11 MR. BLANCHARD: I went to the home of
12 William Dalton and which was 1495 Taylor in an attempt to
13 find out who lived there, what relatives; and found that
14 he had lived with his mother at the -- in this home at the
15 time and I asked her if she knew any of the circumstances
16 surrounding her son's death.

17 She told me that she had heard that
18 he was shot by a policeman over on Grand River. This
19 address where he lived was some distance from the scene of
20 the shooting. She informed me that she had lived over
21 there earlier last year and that most of their acquaintances
22 were in that neighborhood where the shooting occurred and
23 that she could take me to homes over there where she thought
24 her son might have been that night.

25 So, she accompanied me in my car and

1 we went to Fernwood Street and to a house which subsequently
2 turned out to be the same house from which the call was
3 made to the News. This was at 4871 Fernwood.

4 I talked to several people at that
5 address, it being a flat, with Mrs. Dalton present, to find
6 out what had happened to William Dalton that night. I
7 learned that he had been at that address, that he was going
8 with a girl who lived there and late in the evening of the
9 night of the shooting, which was July 26th, had left the
10 house with two other men and was last seen by these
11 people with these two men, or boys and a third man a
12 couple of houses down.

13 Do you want the full details of this,
14 or do you want the progression of my own interviews as
15 such?

16 MR. WILSON: Well, I would like to
17 know not necessarily the names, but generally the people
18 to whom you spoke, and not in any great detail what they
19 told you, but generally what the facts were surrounding
20 this, the actual homicide.

21 MR. BLANCHARD: I might say for the
22 record I am recalling this out of the story we printed at
23 the time to refresh my recollection, I do not have the
24 notes at this particular time of this particular incident,
25 but they may be in my desk somewhere, but I wasn't able

1 to locate them.

2 At the Fernwood address I talked to
3 the family of the girl who Mrs. Dalton said had been her
4 son's girlfriend, and the last they saw of William was
5 in front of the house after he had been with these other
6 gentlemen and a scuffling had occurred and there were
7 policemen there and he was being asked to surrender and he
8 had then surrendered and they were leading him down the
9 street towards Grand River, which is half a block away.
10 There was other conversation which had to do with her
11 connection with William and other things pertaining to
12 that night which doesn't necessarily figure exactly upon
13 the incident.

14 After that someone in the neighborhood
15 whose name I did not get, but a young fellow came up and
16 said that he knew of someone on the next block who he had heard
17 had seen Dalton shot. As a result of this I went with
18 this man and we went over to the next block, which was
19 Edmunton, and we went to the second or third house off the
20 corner and talked to Charles Hall.

21 This man lived in the upper flat.
22 He was a young married man and he lived upstairs above his
23 parents and he told me that he had heard noise in the alley
24 that night and was looking out his back -- went to his
25 back window and looked out down towards Grand River, which

1 is only two houses away. The alley paralleled Grand River
2 and from the back of his house, which I verified visually,
3 he could see the intersection of his alley behind his house
4 and the one paralleling Grand River, which was behind a
5 large furniture storage warehouse and there was a street-
6 light there and he said in the streetlight he saw a young
7 man who he did not know being frisked with -- by policemen.

8 I can't recall whether he said there
9 were two or three policemen at the time. I believe there
10 was two, or National Guard. He was confused with whether
11 they were policemen or National Guardsmen and there was
12 some conversation which he couldn't hear because the police-
13 men were facing away from him, away from the building. He
14 could not hear what they said, but he could hear some
15 remarks from the boy to the effect that -- he was pleading
16 with them in denying things which they were apparently
17 accusing him of.

18 He said they then took the boy to the
19 front, or on Edmonton across into the parking lot which was
20 at the end of the street which began -- it was only two
21 doors down from where he was, but at the front of his house
22 and he went to the front door which looked out upon the
23 second story perch of a flat and he stood in the doorway
24 and there were several policemen out in the parking lot
25 and he saw them interrogating the boy there and also saw

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them take him down the alley opposite his house briefly and then bring him back. He said there was some action in the parking lot which he couldn't describe too well and he heard -- he saw, heard the boy pleading again, and if I give you a quotation it will have to be out of this story because I can't recall what they were exactly.

Can I quote from this story?

MR. WILSON: Yes, please.

MR. BLANCHARD: He said, "He went to a window overlooking it and in the streetlightsaw a youth in a white straw hat standing with his hands on the warehouse --" This is an earlier incident, I will skip down.

Hall said, "He saw the officer shove the shotgun at Dalton which prompted his cry," His cry refers to a comment by him, or shout by Hall, "Don't do that, or don't do that, or don't shoot that boy," and Hall said at the time that when he said that one of the officers in the parking lot screamed back at him some obscenity, I forget what it was, "Get your fucking ass back in the building or I will shoot you." He chased him back and as he chased him back there was a shot and he didn't actually see the boy shot. This was the essence of Hall's conversation with me.

In the neighborhood checking around we went across there to Grand River, which was directly

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opposite the parking lot on the other side of Grand River, I think Mrs. Dalton and I tried to locate the people living in the apartment there, and finally we located some in a Salvation Army store which had been turned into a relief center because of the riot and we went back to their house with them and talked to them.

There were three apartments in which people witnessed some kind of action across there. Their stories varied slightly, but those who said they saw it said that the one -- one of the officers told the boy to run and that the boy ran and as he leaped over, started to leap over the hood of a car which was parked in the front of the parking lot against the building, that he was shot and he fell into the street, onto the sidewalk on Grand River just around the corner of the building and laid there for some time. They also said that they were -- they were not very clear about the length of time that he laid there, but it seemed to them it was a considerable time and that they thought he was alive.

They said that at this time -- during this time various people come down the street, National Guardsmen or civilians or police officers and in a couple of instances they had come out and looked at the body and gotten back in.

At the same time I found that,

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1 according to the police reports there was a radio run put
2 out at 12:45 P. M. sending a car to the scene on the report
3 of a man down. However, Dalton was not dead on arrival
4 at Northwest Hospital until 2:20 A. M. In trying to ascer-
5 tain what happened in this particular -- why a run was made
6 and why the body did not arrive until such a later time,
7 the witnesses, not knowing of this did say that at one
8 point a squad car came along and the officers were getting
9 out of the car with a stretcher when some other officers
10 came along. They can't recall whether they were National
11 Guardsmen or police officers and said, "Get away from that
12 body," indicating there was trouble in the area, at which
13 time the men put the stretcher back into the car and took
14 off, which may explain why the body did not arrive until
15 that later time.

16 In the meantime, after learning this
17 much and coming back in, other information filling in the
18 gaps there, I talked to -- brought it back to the office
19 and talked to Mr. Simmons and subsequently Mr. O'Brien.

20 MR. WILSON: Mr. O'Brien, when these
21 facts were brought to your attention what action did you
22 take?

23 MR. O'BRIEN: Well, we thought that
24 this should be brought to the attention of the Homicide
25 Squad of the Detroit Police Department. So, through our

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staffman at the Police Headquarters we told him to tell them that we had some information and if they wanted it it was available and they sent over a -- I think it was a Detective Sergeant Mason and Lieutenant Reed, and Mr. Blanchard told them essentially what he has said here and what appeared in the paper.

MR. BLANCHARD: For the record --

MR. WILSON (Interposing): We have never, I don't think, placed on the record about what the initial police report on this incident said as to the cause of death.

MR. BLANCHARD: It said generally that the -- that a cause of death was unknown. The specific wording of it I can't recall. I'm looking to see if it is in one of these stories here.

MR. O'BRIEN: Well, they had it that he was shot.

MR. BLANCHARD: Presumably by a sniper.

MR. SIMMONS: They said he was shot and there was sniper fire in the area was why the body was not removed right away.

MR. WILSON: Was there any subsequent investigation which was made either by you or the police department?

1 MR. SIMMONS: There was a lengthy
2 investigation, and a large number of witnesses were brought
3 down and we questioned all of the witnesses they all had
4 talked too. We gave them the names of all of them,
5 including some of them that he hadn't quoted in the story.
6 They talked to them and they talked to a lot of others and
7 then put out a report.

8 As I recall the report was that there
9 had been an arson attempt which Al had turned up in his
10 investigation too, of the Leonard Warehouse and that these
11 three other boys and this boy were fleeing from -- the
12 police had been called because of the arson attempt and
13 the Fire Department, and that they were involved in that.

14 I think a warrant was later issued
15 for their arrests in that, and that they had arrested him
16 in connection with that and that he had been shot when he
17 attempted to run and they said they had witnesses that,
18 I believe, they put in the story they had witnesses that
19 the statement made at the time had been "Don't run or I
20 will shoot." Whereas, Al was told it was to run, but they
21 said that what he had been mixed up with was that it was
22 don't run, which you would have to find out from them,
23 what their investigation showed.

24 MR. BLANCHARD: Subsequently this
25 matter, as far as my own involvement was concerned, on

1 two more days and two more stories, that first day I did
2 talk to two boys who -- two of the boys who had been with
3 Dalton that night and -- do you want their names? They are
4 mentioned in the story.

5 MR. WILSON: Yes, if you have them.

6 MR. BLANCHARD: Terrance Robinson,
7 who is 17; Flint Young and William Higer (?).

8 I am sorry, I said earlier there were
9 two, there were three and they were sitting on a porch with
10 a man whose name was Payne who was not at that time
11 identified any further to me, and I think his name subse-
12 quently came with the police investigation, they located
13 him.

14 One of these boys already returned to
15 Washington, which was his home and I wasn't able to talk
16 to him. However, the two boys, let's see, that would be
17 Robinson and Flint Young, were at that location that day
18 and I talked to them that afternoon and they were very
19 vague and they said that they had been down the alley.
20 They said that they had not seen Dalton at all and they
21 left Dalton on the porch and the two of them had gone down
22 the alley and all of a sudden the police were all around
23 and they ran and they heard some shots fired and hid out
24 in an apartment all night.

25 I asked them what they were doing in

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the alley, what they were doing up there since the curfew was in effect there and they became very vague and they said they had gone up there to investigate some kind of a noise. I asked whether the noise was like a firetruck or something and they said no, they didn't know. They just said they couldn't describe the noise.

The following day as a result of the first story I got a call from one of the operators, the executives of the Ivory Brothers Warehouse, which was the furniture warehouse I mentioned, who said that -- confidentially at that time, I think it doesn't matter any longer, confidentially at that time he had talked to the woman right across the alley that night, the night of the shooting and she called him and told him three boys had set fire to his warehouse.

I talked to this woman before he had called me. I talked to her the first day and she was not -- hadn't seen anything. I went back and mentioned about the phonecall, she just said she was lying on the phone, that she did not see anything or hear noise out there. However, she told me that she was very much afraid and did not want to get involved in all this but that she called him that night and he was the one who called the police and the Fire Department because his warehouse was a very large building, which apparently initiated the run to this

1 area.

2 MR. SIMMONS: There are two things
3 that probably should be mentioned. One, there was no
4 report of this shooting, which there is usually a report
5 of any person shot by a policeman, there was no report
6 made. That was one reason we investigated it. The police
7 at the time had no idea who was -- what police car was on
8 the scene, and one of the witnesses Al talked to had heard
9 a scout car parked nearby and a call coming for car so and
10 so, where are you, or answer your call or something and
11 he remembered the number. He had turned that over to the
12 police, I think that's how they found out who the officers
13 were.

14 They later identified the man who
15 said he had done the shooting.

16 MR. BLANCHARD: The witness who gave
17 me that information, by the way, was also one of those
18 who said that she had heard the boy ordered to run. That
19 was Mrs. Alberta Jones, I believe.

20 MR. WILSON: Did either of you have
21 any occasion to examine the autopsy report, any one of
22 you, of this youngster?

23 MR. BLANCHARD: I didn't examine it
24 directly, but I did talk to the man on the police beat
25 about it.

1 MR. O'BRIEN: Didn't they have the
2 report in the office?

3 MR. BLANCHARD: They had the report
4 with them about the boy, that's right.

5 By the way, I think it should be
6 mentioned when the officer came to the meeting Mr. O'Brien
7 called, Detective Mason had had a preliminary report
8 investigation started on this incident already. Do you
9 remember he had the picture?

10 MR. O'BRIEN: He had some photographs.

11 MR. BLANCHARD: Pictures of the scene,
12 he had not done any interrogation.

13 MR. WILSON: The Police Department
14 had started an investigation prior to getting your informa-
15 tion?

16 MR. O'BRIEN: Yes. I am not sure of
17 the time of this, but they did assign teams to investigate
18 every death in the riot. Now, whether this was part of
19 that, I can't remember whether that was.

20 MR. BLANCHARD: Yes, it was. They --
21 in fact, I recall that day that Mason said that because
22 they had several, or maybe it was Reed, I think it was
23 Reed who said they had several of these things assigned to
24 each team and he was using this, I hate to use the word,
25 excuse, but I can't think of a better one, for not going

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into this further than he had been started because they had so many of these riot deaths to investigate at that time and everything had been slowed down.

MR. WILSON: I don't suppose you, Mr. O'Brien, or you, Mr. Simmons, spent much time on the street during that particular week, did you?

MR. O'BRIEN: I walked from the News to the Fort Shelby Hotel every 16 hours and took a nap.

MR. WILSON: Were you, Mr. Blanchard, on the street covering it?

MR. BLANCHARD: I was on vacation at the time.

MR. WILSON: When did you conduct the investigation?

MR. BLANCHARD: According to the clipping of the first story was -- is dated October -- I am sorry, August 9th, and this ran the day after I went out on it, so this -- the death had occurred July 26th, so I would say that would be a period of a little over a week.

MR. WILSON: And you, Mr. Simmons, I assume you were manning the desk also?

MR. SIMMONS: I was on vacation that week. I came back the following week.

MR. O'BRIEN: Well, actually he was

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on vacation and the question was whether to bring him back,
but I knew that somebody was going to have to be fresh at
the end of the four or five days and so he came back at the
end of that week, thank God he did because we were all --
we weren't making much sense about that time.

MR. WILSON: Well, I have no further
questions, gentlemen. Thank you very much for coming
over.

(Whereupon the depositions were
concluded.)

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1 STATE OF MICHIGAN)
2) SS:
3 COUNTY OF WAYNE)

4 CERTIFICATE OF NOTARY PUBLIC

5 I, Gerald Hanson, of the firm of BETZ,
6 ROWLEY and SUMMERS, Qualified Court Reporters, a Notary
7 Public within and for the County of Wayne, State of
8 Michigan, duly commissioned and qualified, do hereby
9 certify that the witness whose deposition was taken before
10 me on Tuesday, January 9, 1968, was by me first duly
11 cautioned and sworn to testify the truth, the whole truth,
12 and nothing but the truth; and that the said deposition is
13 a true and correct transcript of the whole of the testimony
14 so given by the said witness upon their oath.

15 I do further certify that I am not connected
16 by blood or marriage with any of the parties, or that I am
17 not employed by either of them, nor interested in this
18 matter in controversy, directly or indirectly, in any way.

19 IN WITNESS WHEREOF, I have hereunto set
20 my hand and affixed my notarial seal at Detroit, County of
21 Wayne, State of Michigan, this 18th day of January,
22 1968, A. D.

23 Gerald Hanson
24 Gerald Hanson,
25 Notary Public, Wayne County, Michigan
My Commission expires November 12, 1968.

NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

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I-N-V-E-S-T-I-G-A-T-I-O-N
RE: Detroit, Michigan.

The Deposition of VIVIAN RUBIN, taken before Norma Mitchell, a Notary Public within and for the County of Monroe, State of Michigan, at 457 Federal Building, Detroit, Michigan, on Thursday, January 11, 1968, commencing about 4:30 o'clock in the afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. DAVID BIRENBAUM

- - -

PRESENT: MR. NATHANIEL JONES

and

MR. MERLE MC CURDY

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Detroit, Michigan
Thursday, January 11, 1968
About 4:30 o'clock, P. M.

- - -

V I V I A N R U B I N, was thereupon called as a witness herein, and after having been first duly sworn by the Notary Public to tell the truth, the whole truth, and nothing but the truth, testified as follows:

EXAMINATION

BY MR. JONES:

Q State your name, please?

A Vivian Rubin.

Q Where do you reside?

A 7477 LaSalle.

Q In what city?

A Detroit, Michigan.

Q Are you the mother of three sons?

A Two.

Q What are their names?

A David and Edward Arthur.

Q Does your family own or did you own a piece of property on LaSalle Street?

A Yes.

Q Is that where you presently reside?

1 A Yes.

2 Q Were you in possession of that property or did you have
3 title to that property in July of 1967?

4 A We had title to that property and we were in the process
5 of obtaining possession.

6 Q Was there an eviction proceeding?

7 A Yes.

8 Q Drawing your attention to July 26th, 1967, which was a
9 Wednesday, were you in New York City?

10 A I was personally, yes.

11 Q Did you receive a call at approximately 7:45 P.M. from
12 some member of your family?

13 A Yes, I received a call from my husband. I received two
14 calls and this was the first one.

15 Q Did these calls relate to his intention of changing the
16 locks on the house?

17 A Yes.

18 Can I correct what I just said? I actually
19 received a call from my mother-in-law in Detroit asking
20 me to call my husband at the tenants' phone in our
21 house on LaSalle because he didn't want to place a long
22 distance call on their line.

23 Q Then you placed the call?

24 A I placed a call in response to my mother-in-law's call
25 to me.

1 Q From your mother-in-law?

2 A Yes, in Garden City.

3 Q Did you receive a call about or did you talk on the
4 telephone about an hour later?

5 A Yes. This was the first I knew that my husband was at
6 the house when he first called me and when I called him
7 I told him next time just to call collect.

8 Q So then did he call collect?

9 A Yes.

10 Q About an hour later?

11 A Yes.

12 Q Did he tell you that the tenants had returned and he
13 refused to let them in the house?

14 A Yes, he said that and several other things.

15 Q Did he ask you to send the watch dog in order to protect
16 the house?

17 A Yes, he called and asked me to send our dog by United
18 Airlines kennel service and to call him back in twenty
19 minutes and let him know what flight it would be arriving
20 on so that he could arrange to pick her up or to have
21 her picked up.

22 Q Did you later learn that something happened in regard to
23 the house?

24 A Yes, after they called I made several calls to United
25 Airlines and several other airlines in the New York area

1 and was unable to get a flight into Detroit that night
2 for the dog and I tried to call my husband back to let
3 him know the dog couldn't go there until the following
4 morning and was unable to get through to the number.
5 I tried for over an hour and a half and the line was
6 busy. I couldn't get the operator to put through an
7 emergency call. She said it was out of order. I called
8 my mother-in-law and asked her to try the number and she
9 couldn't reach it and finally in desperation I had my
10 mother-in-law call the neighbor and this was when I
11 learned about what had happened.

12 Q What happened to the house?

13 A The house was shot up. It was attacked by a unit of the
14 National Guard and apparently was fired upon by foot
15 soldiers and tanks armed with heavy artillery, .50
16 caliber machine guns.

17 Q And your sons were arrested?

18 A Not my sons. My husband and his brother and another
19 boy. My sons are three years old and ten months.

20 Q Has an estimate been made as to the amount of damage
21 done to the house?

22 A Not a total estimate. The insurance company adjuster
23 said offhand that his estimate of the damage would
24 exceed our policy limits which is \$25,000.

25 I have received an estimate of the damage

1 to the outside brick alone in excess of \$8,000 and an
2 estimate to the glass of almost \$1,000.

3 The interior damage has not yet been
4 completely estimated. There is extensive plaster
5 damage and extensive wood damage. The frames of the
6 doors has been bayoneted and the panelling on the walls,
7 the tile in the bathroom and the marble has been chipped.
8 We have sculptured plaster walls and they are full of
9 holes. I don't know even if that can be repaired. The
10 electrical wiring is shot.

11 Q Do you know what happened to the charges that were filed
12 against your husband and the two brothers?

13 A Yes, the charges were all dismissed at the preliminary
14 examination upon finding by the Judge, Judge Joseph Mahar,
15 that there was no probable cause to believe that they
16 had committed any of the offenses based upon the
17 testimony of the National Guard officers themselves.

18 Q Did the officer who signed the original Complaint take
19 the stand?

20 A No, he refused to take the stand. He said the Complaint
21 said that he was fired upon and that in fact was the
22 testimony of a National Guard officer but he said, in-
23 formally and it does not appear on the record, that he
24 did not hear any shots and was not fired on to his
25 knowledge and was not going to get on the stand and say

1 that he was and although he was present in the Courtroom
2 he refused to take the witness stand.

3 Q Were your husband and the other two men released on bond?

4 A Yes, they were just shortly before the hearing. They
5 were not released on bond immediately. A very high bond
6 was set which we were financially unable to meet and until
7 the Judge reduced it to a personal bond the following
8 week they were held in custody.

9 Q What amount was the bond?

10 A Twenty-five thousand dollars each.

11 Q Did you take part in the steps to obtain their freedom?

12 A Yes, I did. When I first found out about it I called
13 into the Tenth Precinct and I talked to one of the
14 detectives there who identified himself on the phone
15 as Detective Mattison, I believe it is M-a-t-t-i-s-o-n,
16 but I am not sure.

17 I asked him what had happened, this was
18 about 12:30 or one o'clock in the morning, and he said
19 that apparently everybody had gotten a little bit
20 overexcited and if I would come in the morning they
21 would be released. It was just a misunderstanding.

22 I did come in on the very next flight
23 out of New York and when I got in I called back to the
24 Tenth Precinct and I was told that nobody had ever
25 heard of a Detective Mattison. I was told that a

1 Detective Scott was on the case and I was unable to get
2 any information.

3 I was unable to obtain access to the Court
4 because it was restricted at that time but because I
5 was an attorney and had proper credentials I was able to
6 talk to the Wayne County Prosecutor's Office and learn
7 from them that a Warrant had automatically been
8 recommended, as a matter of course, early that morning.
9 There were efforts made then to try to recall the
10 recommendation. This was done by William Hathaway in
11 the Wayne County Prosecutor's Office, for further
12 investigation, but it was too late they had already gone
13 to the Court. So he said wait until their arraignment
14 and then he would see what he could do.

15 I went over there early Thursday morning to
16 the Warrant Clerk's Office and found out that the Warrants
17 had not even been typed out.

18 I attempted to locate my husband and my
19 brother-in-law and the boy that was with them and I
20 learned through several phone calls that they were still
21 at the Tenth Precinct.

22 I went over to the fourth floor of Police
23 Headquarters and got a pass from the Chief of Detectives,
24 which they were not giving passes to attorneys at that
25 point, but they made an exception in this case because

1 the defendant was a relative and also it was such a
2 serious charge.

3 I took my pass and had my other brother-
4 in-law Roger drive me to the Tenth Precinct and I was
5 denied access. I wasn't even allowed into the building.
6 At gunpoint I was restrained from going in so I returned
7 back downtown.

8 At this point they were arraigning in
9 six-hour sessions with three Judges and at the time they
10 had no way of ascertaining which Judge the case would
11 be called in front of so I stayed there running from
12 Courtroom to Courtroom on all five floors around the clock
13 all night long.

14 I sat out on the porch of the Court with
15 a man from the Probation Department who is a friend of
16 mine and watched the buses with the prisoners being
17 brought in and at about three o'clock in the morning I
18 saw my husband on a bus.

19 I spent the balance of that day trying to
20 locate him so I could talk to him. I had no idea what
21 had happened and I had not been allowed to talk to him.
22 I didn't know why he was arrested or anything else.

23 Finally that afternoon -- I had been
24 running around all day long and hadn't been able to find
25 him anywhere -- I had been down to the police detail

1 room, I learned when they came in the bus they had to
2 be processed through there, and was told they had been
3 specifically requested not to give me any information
4 on this case at all and not to let me see my husband or
5 the boys.

6 I snuck back to the bull pen anyway and
7 called their names but they weren't there.

8 I kept running from Courtroom to Courtroom
9 and checking all the bull pens to see if they were there
10 and I wasn't able to locate them.

11 I had been going for almost 48 hours at
12 this time and they only had one elevator running in the
13 building so I was using the stairs and running from the
14 basement up to the fifth floor and finally late that
15 afternoon, this was about an hour before the change in
16 the shifts of the Judges, one Judge had gone home early
17 and the other Judge was handling only misdemeanors so I
18 knew if it came up that hour it would have to be before
19 Judge Schemanski.

20 So I went to his Courtroom and I waited
21 there and I was actually on the verge of collapse. I
22 was pregnant at the time and had been going pretty
23 strong without anything to eat or sleep and I didn't dare
24 leave the building to get anything to eat because I was
25 sure they would arraign them the minute I left.

1 Finally Judge Schemanske asked me what
2 was wrong and I told him I had been running for two days
3 trying to find them and the file had disappeared and they
4 had disappeared and nobody would tell me where they were.

5 Judge Schemanske insisted the file be
6 produced and the three men brought before him in five
7 minutes and they were. When they were brought in they
8 were a bloody mess and I arraigned them and before he
9 heard the plea I insisted on entering into the Court
10 records -- on making a statement as to their injuries
11 and the fact that they needed medical attention.

12 Q Would you describe their appearances?

13 A Yes, my husband could hardly walk. He had been kicked
14 in the groin very severely and had to be assisted into
15 the Courtroom. He had a bruise on the side of his neck
16 and his hands were all scratched and cut and bloody.
17 These were the injuries that were apparent. I don't
18 know what injuries there were that were not apparent.

19 Q Did you talk with your husband?

20 A I wasn't permitted to talk with him except for about a
21 minute when I saw him in the bull pen before the hearing
22 and he told me he had been kicked in the groin and
23 stabbed in the rectum. It was a very brief conversation
24 and I wasn't able to get too much information.

25 Raymond had been hit on the head he said

1 with a rifle butt and he had stitches down the top of
2 his head, down the back of his neck and he was all
3 bloody. His clothes were all bloody and he had scratches
4 around his face also and Albert Hammonds' face was
5 completely mangled. He had a very large bump on top of
6 his head, I would say the size of a hard ball, and his
7 eye was cut and his face was black and blue from his
8 hairline to his neck and it was all cut up.

9 I had previously, in going through the
10 Court files, seen the mug shots that were taken when
11 they were arrested which showed they didn't have any
12 injuries at all so the Judge ordered that the Wayne
13 County Sheriff make these men available to the Wayne
14 County Medical Examiner for a medical examination to
15 determine the nature and extent of their injuries and
16 the treatment required which was eventually done almost
17 a week and a half later.

18 He set a high bond on them because he
19 said they were charged as snipers and that was a matter
20 of course and he remanded them to the custody of the
21 Wayne County Sheriff and I retained an attorney over
22 the weekend and assisted him in the preparation of
23 future Court proceedings.

24 MR. JONES: I believe that is all I have.

25 (Whereupon the deposition was concluded.)

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STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Norma Mitchell, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Monroe, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me in the before-entitled cause on January 11, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth in the cause aforesaid, that the testimony contained in said deposition then given by said witness was by me reduced to writing in the presence of said witness by means of Stenography, and afterwards transcribed upon a typewriter under my personal supervision; and that the said deposition is a true and correct transcript of the whole of the testimony so given by the said witness as aforesaid.

I do further certify that I am not connected by blood or marriage with any of the parties, or their attorneys, or agents, and that I am not an employee of either of them, nor interested, directly or indirectly, in the matter in controversy, either as counsel, agent, attorney, or otherwise.

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IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal at Detroit, County of
Wayne, State of Michigan, this 16th day of January
1968, A. D.

Norma Mitchell
Norma Mitchell
Notary Public, Monroe County, Michigan
My Commission expires March 19, 1971.

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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

I-N-V-E-S-T-I-G-A-T-I-O-N

Re: Detroit, Michigan

The Deposition of DEPUTY SUPERINTENDENT
 JOHN NICHOLS, taken before Robert Prost, a Notary Public
 within and for the County of Oakland, State of Michigan,
 at 823 Federal Building, Detroit, Michigan, commencing
 about 2:45 o'clock in the afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. NATHANIAL JONES

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Detroit, Michigan
Wednesday, January 10, 1968
About 2:45 o'clock, P.M.

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JOHN NICHOLS, after
having been first duly sworn by the Notary Public to tell
the truth, the whole truth, and nothing but the truth,
testified as follows:

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EXAMINATION BY MR. NATHANIAL JONES:

- 11 Q State your name for the record, please?
- 12 A John F. Nichols.
- 13 Q By whom are you employed?
- 14 A Detroit Police Department, City of Detroit.
- 15 Q In what capacity are you employed?
- 16 A Deputy Superintendent of Police.
- 17 Q And how long have you been so employed?
- 18 A Twenty-six years and three days as a police officer.
- 19 Some 18 months as Deputy Superintendent.
- 20 Q What are your duties, sir, as a Deputy Superintendent?
- 21 A My duties would be the second in command of the Department
- 22 in the absence of the Superintendent of the sworn police
- 23 personnel, to assist the Superintendent to handle the
- 24 personnel of the Department in conjunction with the
- 25 Director of Personnel, overall staff supervision of general

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law enforcement, Detective Division, Traffic Unit, Woman's Division.

Q Were you serving in that capacity in July of 1967?

A Yes, I was.

Q Is that the month in which Detroit experienced a major civil disorder?

A It was.

Q What date did that disorder begin, if you recall?

A July 23, 1967.

Q In the early morning hour, was it not?

A Yes, sir.

Q At that time this disorder erupted do you know from your records, or from your particular office, whether your department's Crowd Control Squad was on duty, or had it been dismissed?

A Neither of the two units whose secondary mission is crowd or demonstration control was on duty at that particular time that the incident occurred.

Q There was a reason for that, was there not?

A The reason being that our posture during normal times was set to put the maximum number of police personnel on the street during the periods of peak crime. And at this particular point in time, Sunday morning, traditionally before and since the disorder has been a low point and a point at which the maximum of police personnel is not

1 indicated by a judicious efficient use of personnel.

2 Q What would you say from your experience are the peak hours
3 of crime?

4 A Normally the high crime period runs on our Platoon 3,
5 which is generally the period four in the afternoon through
6 midnight. The inward peak there would be somewhere between
7 the hours of eight and twelve.

8 Q Would a figure of 193 officers patrolling the streets of
9 Detroit sound fairly close to you?

10 A Based on my memory of the situation, yes, sounds very
11 accurate.

12 Q Do you have a recollection as to the situation on Twelfth
13 Street during the early morning hours around six or seven
14 o'clock insofar as crowd is concerned?

15 A My first notification came at about five-twenty. And as I
16 recall it, at that point the situation was given to me by
17 Inspector Bertony, the weekly duty officer, was that there
18 was a crowd of several hundred people at the intersection
19 of Twelfth and Clairmount. That there had been a couple of
20 windows broken and a squad car had been damaged and that a
21 police lieutenant had been struck with a rock or a brick
22 and sustained a head injury.

23 At that point, I completed the
24 notification procedure through the Superintendent, picked
25 the Superintendent up in the next few minutes, and headed

1 for Police Headquarters.

2 Q And by this time you had increased the police strength,
3 had you not?

4 A Inspector Gentry and Inspector Mischnick, the Commander of
5 the district in which the area -- which the disorder
6 occurred, and the Precinct Commander, had been notified and
7 were responding to the scene by the time my initial notifi-
8 cation had been completed.

9
10 When I got to Headquarters I estab-
11 lished contact with Inspector Gentry and was reported that
12 he had placed the Western District in a state of mobiliza-
13 tion, had ordered the Motor Division to attempt to recall
14 their men.

15 We took the mobilization procedure
16 from that point after receiving very rapid estimates of the
17 situation from Inspector Gentry.

18 Q Sometime around eight o'clock that morning there was a
19 sweep made by the Commando Unit, was there not, down
20 Twelfth Street?

21 A As I recall, there was an effective sweep up Twelfth
22 Street.

23 Q And would you describe the situation as being one of the
24 crowd being rather fluid, floating and giving and taking?

25 A I would describe the situation as being one of small
groups, a very, very fluid situation, a situation where

1 you -- the normal type of crowd control tactics would not
2 work, because you lack the mass confrontation, the type of
3 situation where you penetrated to the group, you had some
4 problem in dispersing, they simply floated around and got
5 behind. As a result, there was a series of actions in
6 which, lacking sufficient manpower to secure the flanks in
7 the rear of any advancing sweep, was ineffective to control
8 the action.

9
10 Q The crowd offered no particular resistance, but they just
11 flowed more or less?

12 A That is about the description that we got from the officers
13 on the site. At that point there had been no particular
14 violence, other than verbal abuse directed to the officers.
15 With the exception an officer had been struck, and there
16 had been minor injuries sustained by pop bottles. But had
17 not yet gotten to the point where the use of weapons was
18 wide-spread.

19 Q Would you say that the area affected by the disorders by
20 mid-morning would be listed at about a six block area,
21 roughly?

22 A As my memory serves me, and working without any notes as to
23 the validity, it appears to be a valid statement that Mr.
24 Jones made. It seems that around ten o'clock the activity
25 was confined generally to a six or eight or ten block
area around Twelfth Street. It was not until later that

1 the activities spread to Linwood Avenue, Grand River and
2 many of the other major areas.

3 Q How would you describe the police tactics that were employed
4 at mid-morning insofar as crowd control and crowd dispersal?

5 A The tactics at that point was to attempt to disperse the
6 crowd without any unnecessary use of force. The crowd in
7 many instances were dispersed to the sanctuary of front
8 porches, and there would stand. And we made no attempt
9 to remove the people once they had gotten off. Conversely,
10 as soon as the police lines had moved, they would move in
11 behind the advancing echelon of police. And being as thin
12 as we were, we had no way of securing the flank.

13 Q There was a lot of bantering back and forth, people throwing
14 out comments to the police?

15 A I think the bulk of the bantering took place during the
16 initial incident while the people were being removed. I
17 think the mood of the crowd at that point was not particu-
18 larly an ugly one. But I don't think it was either a
19 particularly friendly one at that point. And, again, I
20 am operating from memory, and not from an eyewitness stand-
21 point.

22 Q What steps were taken to guard what would be considered
23 major key installations in other sections of the city at
24 the time this disturbance was in its initial stages?

25 A Immediately after issuing the teletype and getting a

1 report from Inspector Gentry, we made steps to secure our
2 communications station, departmentally, we closed Belle
3 Isle, which had traditionally been a point for large
4 gatherings. We ordered recognizance patrols into the
5 major parks and the perimeter area of the city in order
6 to maintain a certain amount of controls should any crowds
7 build up in that area.

8 Many of these installations were
9 guarded by fixed posts. Other ones were guarded by mobile
10 patrols that had joint responsibility. Placed security on
11 the water headquarters and the Fifth Precinct. And we
12 began a notification procedure in an attempt to get the
13 owners of the shops that sell weapons to come down and
14 make some provision for securing the weapons, based on
15 after action reports of other departments that these were
16 prime targets. Some we were successful in getting to,
17 some they got to first.

18 Q What about the radio stations?

19 A Our radio stations, one of those is on Belle Isle, and
20 that was a secondary reason. We guarded radio stations
21 and also our antennas that were at ground level. Many of
22 our antennas were on top of public buildings, others were
23 situated on ground level. One is located in the park that
24 we mentioned. Another one is on site at the precinct
25 station, which was probably well out of the area, but

1 nevertheless, we did not know whether or not roving bands
2 might not attempt to disrupt communications. Which at
3 that particular point in time would have been most unten-
4 able.

5 Q In 1966 at the time of the Kercheval incident, you had a
6 task force of people who served as counter rioters, did you
7 not?

8 A Yes, we had.

9 Q And would you tell us -- describe the success with which
10 this group met in 1966 so far as at the Kercheval incident
11 is concerned, and contrast that with what happened in 1967.

12 A Possibly I better give a broad overview of the Kercheval
13 incident. The Kercheval incident occurred in an area of
14 low density population. An area that is single and duplex
15 dwellings. A minimal number of multiple house units. The
16 Kercheval incident also occurred in that point of time when
17 the departmental posture was in the best possible position
18 to bring any disorder under control.

19
20 It occurred about 8:30 or nine
21 o'clock when the personnel on the street was at peak point.
22 Both units that had secondary missions of crowd demonstra-
23 tions and riot control were operational on their primary
24 missions of traffic and anti-crime.

25 At the same time, a force of some
25 or 26 officers that had been used as a reserve force

1 for demonstrations, had been relieved from that and was on
2 a bus waiting relief from duty, so that in that particular
3 point in time, personnelwise, we were at optimum strength.

4 We were able to commit a high number
5 of officers into the area. Concurrently with this, the
6 citizens groups and the block clubs in the Fifth Precinct
7 responded magnificiently and they, in turn, took to the
8 streets in an effort to not only dissuade those who were
9 on the street from participating in any wide spread dis-
10 order, but also took great steps to contact the habitue
11 of the bars and everything else, and explain the stability
12 of the situation and play it cool.

13 And the combination of the two were
14 magnificient. We made a very, very limited number of
15 arrests. We were fortunate in that the combination of
16 the show of force without the necessity of the application
17 of such force and the response of the citizens groups was
18 extremely successful in bringing the disorder under control
19 at a point short of anything other than some malicious
20 destruction of property, sporadic breaking and entering.

21 There was no protractive fire-bombing,
22 there was two or three attempts at fire-bombing. I think
23 there was one or two fires in the area.

24 Contrasting the situation that
25 existed on Twelfth Street, we find the diametrically

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opposed position. One, the police personnel was at its
lowest ebb. The population density on Twelfth Street is
several times greater per square block, or square mile,
or square inch than in the Kercheval incident. The response
of the citizen groups apparently came at a time when the
situation was not amenable to this particular type of
approach, in the absence of the stability that could have
been gained had we sufficient manpower on site.

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I don't discount the efforts, nor the
technique of the citizens participation in such a time
like this, but I think it must be done under a condition
where those who would listen are in a position where they
can listen with some reason other than just the personal
appeal or personal magnetism of those attempting to dis-
suade them. That is my personal opinion.

17 Q Of course, by that point there was so much confusion that
18 you say they were not amenable to this type of appeal.

19 A Apparently they weren't. That is a very responsible
20 people out there in an attempt to dissuade them from their
21 nefarious activities. But the next 12 days I think told
22 the story. They were not effective.

23 Q What was the department policy with regard to officers
24 wearing badges during the disorder?

25 A The pre-established department policy indicated that any
bright metal, any strap, anything upon which someone could

1 drag an officer into the crowd, or might conceivably be
2 a target for a sniper, was removed. It was removed as a
3 matter of personal safety.

4 Q Did you receive any reports of some officers taping the
5 license plates on their vehicles and numbers of their
6 police cars?

7 A Yes, we did. We took immediately appropriate action to
8 cease the procedure.

9 Q There was one officer, was there not, who reportedly fired
10 at a boy fleeing and did not follow-up to see whether he
11 had been wounded?

12 A Inspector Schwaller has the details, but as I recall, one
13 of the patrols was engaged in the fire-fight, Edmonton
14 and Grand River, there was some shots exchanged and there
15 was a person wounded who later died, or who was killed,
16 who was not found immediately by the patrol that did the
17 firing.

18 Q This officer later came forward and identified himself?

19 A To the best of my knowledge, he did.

20 Q I understand that Representative DelRio was arrested during
21 the disorder, do you have a recollection of that?

22 A I have a recollection, based on the fact that sometime
23 after the disorder I reacted to a request from Representa-
24 tive DelRio for a return of certain arrest tickets and
25 fingerprint cards which would indicate that there had been

1 an arrest and that such an arrest had not resulted in a
2 court trial.

3
4 This is a provision of our State Law
5 that requires the Police Department and the Courts to
6 deliver to the arrested subject certain information upon
7 their non-conviction or upon the failure of the police to
8 bring the case to trial.

9 Q Do you remember the case of Jackie Lee Murdock and an
10 officer who was accused of taking some liberties with her
11 after her arrest?

12 A Yes, I do. The offending officer was investigated, a
13 warrant was issued in Recorder's Court. He resigned from
14 the Department and was brought to trial and ultimately
15 convicted.

16 Q Do you have any recollection as to whether there are other
17 matters pending against this officer?

18 A Operating purely from memory, I believe there were other
19 allegations that may still be under investigation by the
20 Prosecutor's office relating to this self-same officer.
21 What their status is, I don't know.

22 Q And he is no longer with the Department?

23 A He resigned prior to the time the warrant was issued.

24 Q I think that takes care of it. Is there anything else
25 you think we should add to the record?

A No, that is a thorough job. I am operating from memory.

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MR. JONES: Let the record show that
it is the recollection of the Deputy Superintendent
Nichols that the log may have been turned over to John Ursu
of the staff of the Commission.

(Whereupon the deposition was
concluded.)

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STATE OF MICHIGAN)
) SS:
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Robert Prost, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Oakland, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me on Wednesday, January 10, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth; and that the said deposition is a true and correct transcript of the whole of the testimony so given by the said witness upon his oath.

I do further certify that I am not connected by blood or marriage with any of the parties, or that I am not employed by either of them, nor interested in this matter in controversy, directly or indirectly, in any way.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at Detroit, County of Wayne, State of Michigan, this 11th day of January, 1968, A. D.

Robert Prost

Robert Prost,
Notary Public, Oakland County, Michigan.
My Commission expires November 28, 1971.
BETZ, ROWLEY AND SUMMERS
QUALIFIED COURT REPORTERS
WOODWARD 1-3933

NACCD
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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

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I-N-V-E-S-T-I-G-A-T-I-O-N

Re: Detroit, Michigan

The Deposition of CARL PARSELL, taken before Gerald Hanson, a Notary Public within and for the County of Wayne, State of Michigan, 823 Federal Building, Detroit, Michigan, on Wednesday, January 10, 1968, commencing about 5:30 o'clock in the evening.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. NATHANIAL JONES

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Detroit, Michigan
Wednesday, January 10, 1968
About 5:30 o'clock, P. M.

- - -

C A R L P A R S E L L, a witness
herein, after having first been duly sworn by the Notary
Public to tell the truth, the whole truth, and nothing
but the truth, testified as follows:

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EXAMINATION BY MR. JONES:

Q For the record state your name, please?

A Carl Parsell.

Q What is your occupation?

A I am a police officer, City of Detroit, 21 years.
I am now President of the Detroit Police Officers
Association.

Q Do you presently perform any police functions?

A At the present time, no, I work full-time with the
Association.

Q Are you on leave?

A Yes, I am.

Q And how long have you been with the Association?

A Twenty-one years.

Q And how long have you held your present office?

A I am beginning my third year.

1 Q Have you been on leave for these three years?

2 A No. I have only been on -- it's only been a year since I
3 have been on leave.

4 Q And can you tell us a little bit about the Association
5 with which you are connected?

6 A Yes. Detroit Police Officers Association, you mean how it
7 was formed and that?

8 Q Yes.

9 A It was formed 20 some odd years ago and primarily it was
10 a social organization, and to perform the social functions
11 of any organization. We have taken over the duties of the
12 bargaining for the Association through a law that was
13 inaugurated in 1965, collective bargaining law and now we
14 are the sole bargaining agent for 3500 patrolmen and
15 policewomen in the City of Detroit.

16 We negotiate their wages and we --
17 working conditions and we are the ones that take grievances
18 about our working conditions and better pay and better
19 conditions to the Department or to the City.

20 Q Do any officers of the Department belong to your organiza-
21 tion, or -- I mean, any command officers?

22 A There are no command officers. It's made up of patrolmen
23 only.

24 Q I see.

25 A And policewomen.

1 Q Were you performing any police functions during July of
2 1967?

3 A Police functions?

4 Q Yes. Were you with the Police Department in the field?

5 A No, I was not.

6 Q Are you familiar with the practices and the policies of
7 the Police Department during the period of the riot in
8 Detroit?

9 A I think I am, yes. Where I was not performing any police
10 functions during the riot, I -- as it all started -- I was
11 in Canada when the riot happened at a convention of our
12 International Police Association, which I happen to be a
13 Vice-President of. We saw the news on the T.V., which
14 apparently was not going over here.

15 I called home and we exchanged infor-
16 mation with my family, which they were not really apprised
17 of. We made arrangements to come home. We came home the
18 following day and I went, after dropping my bags off at
19 the house, I went right down to the Ford Hospital which
20 was in the center of the then riot zone, and I was attending
21 the two -- three families of the injured officers.

22 I was with the officers and with their
23 families when one took a turn for the worse and died and
24 when the other one took a turn for the better and started
25 to recover.

1 Q Which officer was this who died?

2 Do you recall the name of the officer who died?

3 A Ochelvie (?) , Ochelvie. I do not recall his first name
4 right now. Gerald Ochelvie was the one that died. I made
5 --helped make arrangements for the funeral and whatever.
6 I did not make the arrangements for the funeral, but helped
7 make arrangements as far as the Association and saw that
8 the family was sent to the right places and I talked to
9 the officers. I helped set up -- assist them there at the
10 hospital so that people were notified where officers were.

11 This thing happened so suddenly
12 that the immediate -- a police officer would get injured,
13 they would take him to a hospital and because of the
14 gravity of the situation, like everybody else, they dropped
15 him at the hospital and went back into the scene, or wherever
16 they were working at and there for a time there they had
17 lost control downtown of where these injured officers were
18 and what was the situation.

19 So, I tried to initiate a control so
20 that anybody who came in the hospital there, that the
21 Administrator of the hospital would certainly get the
22 information from the police officer and firemen, but I
23 was interested in the police officers, but any injured
24 police officer that came in here to be called immediately
25 so that we would know where they were because we were

1 losing control. This was right after the hospital was
2 being fired upon as they were bringing prisoners in.

3 Q Do you know whether at the inception, early stages of the
4 riot the police were under any particular orders as to how
5 they were to act; either to use restraint or to use fire-
6 arms?

7 A The information --

8 Q (Interposing): Or were any instructions given at all?

9 A The information that I get from my membership, as I have
10 already pointed out, I was not in the field, but in going
11 into this very deeply and talking and having many meetings
12 on the subject, the members had orders not to shoot. In
13 fact, the original orders were not to fire. In fact, the
14 first order -- I will get it straight in a minute, was not
15 to load the gun.

16 The original orders, as the guns were
17 issued, guns were put in -- told to put in the trunk and
18 not to load them.

19 Q What type of guns were these?

20 A These were the -- these were the shotguns and rifles that
21 they had. Now, men that went down, they had other men
22 that had gone from other precincts from the outer area of
23 the riot zone and our area here would be from the far
24 extreme, farthest east to the farthest west side that had
25 proper equipment. They went down there with guns and all

1 that. These guns were even taken away from these men and
2 put into a group, that they would issue them out when they
3 were needed, but certainly the concern at the first was
4 certainly not to load the guns and not to take any action
5 out there.

6 Q Do you know from whom these orders emanated, not to shoot?

7 A No, I do not. I will tell you how it was. We went into
8 it trying to get as deep as we could and they had very
9 few command officers in the field, there were patrolmen.

10 It's a type of work that police work
11 is, that the police worker out there is individuals. There
12 was very few command officers there, but the ones that were
13 there were calling on their little radios to get the order
14 to take action and the answers that they got, wherever the
15 orders came from, were not to take any action.

16 Q Did there become a point in the riot, if you have heard
17 from ~~you~~ you heard from any of your members, at which
18 orders were changed and the officers were told to use what-
19 ever force was necessary?

20 A Yes. And, now, I do not remember in timewise. It's
21 probably important to you, but there was a time -- but this
22 did not come until later that -- certainly the officers
23 were to use their firearms if fired upon. They were
24 certainly to use them in defense, but this order came,
25 like Monday.

1 It went through Sunday and it went on
2 into Monday that the order was certainly to defend yourself,
3 but that's all. You are to use the gun to ~~therefore~~
4 defend yourself.

5 Q Was that prior to the National Guard coming in or after
6 the Guard was in, if you know?

7 A This here, now, I couldn't say. I would have to -- I
8 would have to look at my records as we made the report.

9 Q In June there was a flu -- blue flu, wasn't there?

10 A There was a blue flu, yes.

11 Q Did that have any affect upon the morale of the police
12 officers, the men you work with and associate with?

#9 13 A I feel that it had, as you put it, no effect on their
14 operation, if that's what you mean. I mean I feel that
15 even though there is a report here from the Michigan
16 University by a Doctor Caplin, I think it was -- that puts
17 the blame of it right on these officers and the police
18 strike, upon the Association.

19 His attitude was that we took the
20 police officers off the street during the, what you call
21 the blue flu, and that while they were off the street the
22 Negro community had no ill effects from policemen and then
23 as the Caplin report goes on, it states that when the strike
24 was over, the blue flu was over and the policemen were
25 returned to the streets, that this was the trigger that --

1 or, this was the spark that triggered the riot, and I have
2 to say this: That we had -- during our blue flu we had
3 more policemen on the street than we have ever had on the
4 streets before, because we were on 12-hour shifts, no leave
5 days, no vacations, no anything.

6 So, on paper all 3500 of our men were
7 working. So, they worked on two shifts, that left 1400
8 working two shifts and that meant if a thousand called in
9 sick, which they did not, that would still leave over a
10 thousand men working in each one and your report will show
11 that on the night of the riot, or the morning of the riot,
12 there was only a hundred and ninety-three patrolmen, much
13 less than a thousand, that we had on the streets during
14 the blue flu, but I feel that my proof of this, that it
15 did not have any effect on the people working out there,
16 on the men working, first of all our blue flu was not
17 against any citizens or against any group of citizens or
18 against the public at large. Our labor dispute was against
19 Administration of our city that refused to sit down and
20 bargain. There was no feeling about any -- there was any
21 feeling of -- I don't know how to say it, that we had
22 nothing confronting the public out there, be it any group.

23 I think further proof is that when
24 the officers were called in to duty they were not all
25 called by ranking officers. They were called on the

1 telephone because of the emergency, because of many police
2 officers coming in to work, they were called by patrolmen,
3 sergeants, lieutenants, inspectors, whoever it might be.
4 There was no questions of any orders.

5 The men were in the station, some of
6 them within half an hour of them being called. They came
7 dressed and got right into the station. They all showed
8 up. People returned from their furloughs.

9 We returned from Canada without any
10 orders. We, everybody over there. I was the only one
11 that is not doing police work, all of the rest of them
12 are full time policemen. We brought back, I would say,
13 about -- we had 12 in our delegation, I am talking about
14 lieutenants, sergeants, patrolmen, right down, I think we
15 had about 12 of us over there. They all returned to full
16 duty without any orders to come back and we are the union,
17 you might say, and we came back; so that people came in
18 from furloughs, came in from being off and everything else
19 without any orders, many of them. They just showed up for
20 work to be here.

21 I think that further proof would be
22 that some of these men -- now, we had a sick call, the
23 blue flu, as you say. Now, some of these men were injured,
24 had been injured out there; went to the hospital, got
25 treatment and had returned to the streets, some even against

1 doctors orders and some against commanding orders that,
2 "You go on home, you got your hand all bandaged up and you
3 go on home, or you got stitches there and you go on home,"
4 and these people returned right to the station, or right
5 to the streets for duty.

6 So, I think that it has absolutely
7 no effect because I think the Department was drawn together
8 because something happened, and when these people -- when
9 these people are called in they were called in -- they
10 weren't given an explanation when the first call went out,
11 which was in the morning, they were not given an explana-
12 tion that it was a race riot, or we are having trouble
13 with the Negroes, or you had better get in here or they
14 are going to burn down the town or anything like that.
15 They were just having trouble, the orders were to come to
16 work it was an emergency and these people came into work.

17 Q Did you hear any reports of specific acts of policemen
18 which indicated concern for the conditions of Negroes who
19 were injured during the riot?

20 A Well, I think that -- I remember his question and I think
21 that I have to say that I don't remember any particular --
22 right now, I would have to say I don't remember anything
23 specific -- I can't say that scout car so and so had a
24 deal where he had this, but I know that police officers
25 took men, took injured Negroes to the hospital; I know

1 they were fired on as they were taking them to the
2 hospital. I know that the ambulances had been fired on
3 taking injured Negroes to a hospital. I know that there
4 was -- there was one incident there that the -- they had
5 -- they were protected from a fire where the Negro people
6 -- the Negro people that lived right there came out and
7 guarded them.

8 The Fire Department would come in and
9 that, they came out and guarded. "We will guard here."
10 Now, this is their guardian against the trouble-makers,
11 and, "We will put the guard here and protect you so that
12 nothing will happen here," so that -- they did that and
13 there was incidents where Negroes brought out towels,
14 clean towels here for these people that got sprayed --
15 something happened in a building, they either got all
16 wet, water, either a pipe busted or something that they
17 got all wet and Negroes that had nothing to do at all and
18 almost against the orders of the day. I mean, everybody
19 was told to keep out of there and keep off the streets and
20 keep in your houses and they come forward, bringing dry
21 towels and such to have these police officers and firemen
22 dry themselves off, which they actually were -- could have
23 had their own fear of butting in because they had no business
24 out there and they did this.

25 And they had acts of bringing coffee

1 out to the police and firemen at the time, but when you
2 ask me the question were there any specific acts of police-
3 men to the injured Negro or Negroes there, I -- I don't
4 have that.

5 Q Would you say generally there were acts of concern shown?

6 A Both ways, yes. I would say both ways.

7 Q All right. What was the mood of the police officers at
8 the conclusion of the disorders?

9 A At the conclusion?

10 Q Yes.

11 A Well, I think that they were a bitter, frustrated lot.
12 I think they -- and I am saying an opinion that is given
13 in to me. We are being trained to handle disorders and
14 not so much as riots or disorders like this, but crowd
15 control. We are being trained to handle crowd control,
16 trouble, police are certainly in here handling trouble of
17 any nature, so when trouble comes that is a danger to a
18 community, the policemen felt that they were -- to just
19 use restraint -- in fact, at first it was less than
20 restraint. At first it was just be there, and we feel
21 that this -- this brought embarrassment.

22 It brought -- I think the officer
23 felt that he was being degraded, not because of what he
24 was doing or what he might be doing, but that he wasn't
25 doing anything. He was out there and crime is happening

1 in front of him, or what he feels is crime happening.

2 Q You mean the fact that he wasn't at liberty to restrain the
3 looters?

4 A Yes.

5 Q And he wasn't able to do -- use his judgment, in other
6 words, at the time?

7 A Yes. The policeman felt that he was trained as a policeman
8 and no matter what the public might think of him it is
9 hard for him not to do these things. Now, here he was
10 standing out there and 20-feet, 30-feet away from him,
11 what he has considered before as crimes, people were
12 busting into stores, people were picking up things, people
13 were trying on coats and trying on hats and clothes and
14 things in front of him and he is standing there and not
15 being able to do anything about it.

16 So, I think that he was a frustrated
17 lot and I think that he was very bitter towards -- I think
18 that he had his bitterness, I think, towards a -- I won't
19 say just Administration, just to anybody that happened to
20 be in charge of this civil disorder.

21 I think that the average opinion,
22 right or wrong, felt that if action would have been taken
23 at the time that this could have been contained, at least,
24 if not stopped. Now, I am not here to battle with the
25 Administrators, or your Committee as to what the answer was,

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1 certainly sometime we will find out, but the average
2 policeman felt that he should have done something, that's
3 what he is trained for.

4 Q Felt that if he had been able to step in with sufficient
5 force in the outset it could have been nipped in the bud?

6 A Yes. Now, I have been -- when I make this statement the
7 next thing that's always asked of me is, "Well, isn't 43
8 people dead," you know, "enough?" and my answer happens
9 to be I think 43 dead is too many and I think that
10 initial movement -- see, because I think what happened,
11 and this is where I think the policeman has the feeling.
12 I think that by sitting back and not doing anything I
13 think that we showed official timidity and I think the
14 officials showed the same thing, but they did not get the
15 blame. I don't think that the policemen felt that anybody
16 else was getting the blame.

17 I think that when the public saw the
18 policemen there not doing anything, that I think that the
19 man, -- the policeman, the man that was there, I think
20 that he felt that everybody is looking upon him as not
21 taking action and why don't you do something. So, I think
22 that this was a -- it isn't a -- I don't think it's a
23 guilt complex, but I think it's a complex of some type,
24 that he felt that he should have been doing something he
25 wasn't able to do, he wasn't allowed to and yet nobody else

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got the blame but him. I think that's how their feelings are.

MR. JONES: Off the record.

(Whereupon a discussion was held off the record.)

MR. JONES: Thank you, Mr. Parsell.

(Whereupon the deposition was concluded.)

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STATE OF MICHIGAN)
) SS:
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Gerald Hanson, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Wayne, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me on Wednesday, January 10, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth; and that the said deposition is a true and correct transcript of the testimony so given by the said witness upon his oath.

I do further certify that I am not connected by blood or marriage with any of the parties, or that I am not employed by either of them, nor interested, in this matter in controversy, either directly or indirectly, in any way.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at Detroit, County of Wayne, State of Michigan, this 19th day of January, 1968, A. D.

Gerald Hanson
Gerald Hanson,
Notary Public, Wayne County, Michigan.
My Commission expires November 12, 1968.

NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

 I-N-V-E-S-T-I-G-A-T-I-O-N
 Re: Detroit, Michigan

The Deposition of WILLIAM P. WALSH and
 JOHN R. BODARY, taken before Gerald Hanson, a Notary Public
 within and for the County of Wayne, State of Michigan, at
 457 Federal Building, Detroit, Michigan, on Tuesday,
 January 9, 1968, commencing about 10:10 o'clock in the
 forenoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. DAVID BIRENBAUM

MR. HERMAN WILSON

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Detroit, Michigan
About 10:10 o'clock, A.M.
Tuesday, January 9, 1968

- - -

W I L L I A M P. W A L S H, and
J O H N R. B O D A R Y, witnesses here-
in, after having first been duly sworn by the Notary Public
to tell the truth, the whole truth, and nothing but the
truth, testified as follows:

MR. BIRENBAUM: May the record show that
the witnesses were sworn.

Would you please state your name and give
us your address?

MR. WALSH: William P. Walsh. 819 Willow
Way Estates Drive, Bloomfield Hills, Michigan.

MR. BIRENBAUM: Where are you employed,
Mr. Walsh?

MR. WALSH: William P. Walsh & Company,
which is at 1575 East Lafayette, Detroit, Michigan.

MR. BIRENBAUM: And what are the activities
of the William P. Walsh Company?

MR. WALSH: William P. Walsh & Company is a
Real Estate Appraisal and consulting firm. We deal almost
exclusively in just realestate appraising and special
analysis, feasibility studies and consulting work for cities

1 and private individuals in real estate investment.

2 MR. BIRENBAUM: Would you please state your
3 name?

4 MR. BODARY: John R. Bodary.

5 MR. BIRENBAUM: And what is your address?

6 MR. BODARY: 15149 Glastonbury, Detroit.

7 MR. BIRENBAUM: Mr. Bodary, where are you
8 employed?

9 MR. BODARY: William P. Walsh Company at
10 1575 East Lafayette.

11 MR. BIRENBAUM: Mr. Walsh, what is the
12 relationship between the INstitute for Urban Dynamics and
13 William P. Walsh & Company?

14 MR. WALSH: Well, the Institute for Urban
15 Dynamics was founded by myself and two other gentlemen as
16 a non-profit corporation to attempt to find some of the
17 root causes of urban problems, particularly with reference
18 to real estate and with reference to the remedial programs
19 involved in this real estate development which, of course,
20 included people and all of the other skills necessary to
21 put together a community and Urban Dynamics, the Institute
22 of Urban Dynamics has existed without outside funds, and
23 the staff, myself, the staff of William P. Walsh & Company
24 and other volunteers have made up the total effort of this
25 organization.

1 We -- no one has been paid. The organiza-
2 tion doesn't pay anybody, but it just -- they are all
3 volunteers.

4 MR. BIRENBAUM: When was the Institute
5 established?

6 MR. WALSH: The Institute was established
7 in 1965, the spring of '65.

8 MR. BIRENBAUM: Now, in connection with
9 your business activities with the William P. Walsh Company
10 and your non-profit activities with the Institute for Urban
11 Dynamics, have you become familiar with the urban renewal
12 programs in the City of Detroit and their operation?

13 MR. WALSH: Yes. I have become, through
14 business activities extremely familiar with the urban
15 renewal program. I have worked either as an appraiser,
16 doing acquisition appraisings, or review appraisals,
17 feasibility studies, or disposition -- the re-use type of
18 appraisals on just about every project in the City of
19 Detroit, either all or in part, dating back to 1956.

20 MR. BIRENBAUM: In that connection have you
21 had occasion to become familiar with the attitude and view
22 of the residents of poverty areas in the City of Detroit
23 toward urban renewal programs?

24 MR. WALSH: Yes, primarily because when you
25 are appraising a property you are in the man's living room,

1 and we make it a point to sit down and interview owners
2 and occupants and so we have literally thousands of inter-
3 views of people in the poverty area under the threat of
4 forced moving and have had a chance to discuss their
5 attitude towards their own neighborhood; where they thought
6 they might go; what their needs would be insofar as housing
7 and so forth.

8 MR. BIRENBAUM: Do you know approximately
9 how much money had been allocated for urban renewal
10 programs over the last five years?

11 MR. WALSH: In the City of Detroit or --

12 MR. BIRENBAUM (Interposing): Yes.

13 MR. WALSH: Gee, I don't know as a matter
14 of fact. It's a lot of money but I don't know.

15 MR. BIRENBAUM: Would 38 million seem like --

16 MR. WALSH: (Interrupting) It wouldn't
17 surprise me. No, it wouldn't surprise me at all.

18 MR. BIRENBAUM: What has been the attitude
19 of residents of poverty areas toward urban renewal programs?

20 MR. WALSH: Well, essentially the attitudes
21 of residents of poverty areas toward urban renewal programs
22 is one of their -- is one that it is not particularly
23 helping them, that this is a program which simply replaces
24 the tax base, although they don't express it. It replaces
25 the tax base, is what it really does.

1 What they view it as is a program to
2 re-establish the upper classes, the upper income classes
3 back in the inner city. It's just one of moving them and
4 in general they see no direct benefits. There are some
5 who recognize an indirect benefit in that it provides a
6 market for a house that they might otherwise be wanting to
7 move out of and go someplace else, but I don't believe
8 that the residents of the -- or, in general the average
9 citizen of these poverty neighborhoods views urban renewal
10 as a personal benefit to himself.

11 MR. BIRENBAUM: So that it would be fair to
12 say that there was a good deal of hostility toward urban
13 renewal programs among the lower income people in the City?

14 MR. WALSH: Yes. Now, just to expand a
15 little bit on the word hostility. In your deepest sections
16 of your inner city you don't -- you don't get active
17 hostility. In other words, I would say resentment is
18 probably a better word. Hostility would follow when people
19 came in and -- it was very easy to get them excited. They
20 had a resentment which could be led, developed into
21 hostility.

22 MR. BIRENBAUM: When the extraction became
23 a reality, hostility ensued?

24 MR. WALSH: Yes.

25 MR. BIRENBAUM: Now, what are some of the

1 projects that this Institute has undertaken?

2 MR. WALSH: Well, the Institute has
3 attempted to develop in its first project the PNAC Project.

4 MR. BIRENBAUM: What is PNAC? Could you
5 tell us what PNAC is, first?

6 MR. WALSH: PNAC is a Positive Neighborhood
7 Action -- P-N-A-C, Positive Neighborhood Action Committee,
8 and this area, when we first went into it, had been
9 designated, at least in the minds of the population there,
10 the people there believed that someday they were going to
11 go to urban renewal, although the City Planning Commission
12 stated that they had no set plan for this, but certainly the
13 master plan, it was going to be urbanized at some time.
14 They had a rather negative position as to where they could
15 go, or perception, rather.

16 And, so, since this neighborhood was not
17 immediately designated for urban renewal; since in the
18 long run it would probably go to urban renewal and since
19 there were very few specific programs designated for this
20 area; Since that time the model city has been overlaid
21 on this area, but at that time there was nothing shaking
22 in this particular area, so we felt it would be a good
23 spot to go in and test out some of the theories that we
24 had developed in previous Institute work, which the years
25 before that were essentially designated either formally

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in the institute or informally just as individuals in developing theories of community development, of community values, of approaches to stabilizing communities by maintaining sound property values and conception of perception and so forth, so we took this area as a first step.

Now, other things that we have been involved with are private individual developments in which either individuals or groups are attempting to find ways to solve their problems. This goes from attempts to increase -- better the Negroes, perhaps situated in business; the employment situations, and even outside educational things that we met with. We met with organizations and groups around the Country, actually, I mean, to find what their experiences were.

One other point of research that we are working on is the point of the successful transfer, or the transfer of successful experiences. It is very curious to us, and a real challenge to us that we can have successful experiences as they had in the development in Indianapolis; Action Housing in Pittsburgh, the Businessmen's Development Program in Philadelphia and many other programs around the Country which seem to defy transfer from one community to another and it is our current theory that the transfer of successful experiences from one community to

1 another is very much like a skin graft, very much. You
2 simply take a piece of skin from one hand and sew it on
3 the other, except that the other is rejected from the other
4 spot because it takes a most skilled surgeon who knows,
5 with other professionals, the entire system to keep the
6 new location from rejecting it.

7 We feel that this is one of the great
8 problems that we face in this Country today, how to trans-
9 fer successful experiences from one community to another,
10 which in our opinion we have to find the -- and really
11 learn how this system is made up so that we can get this
12 successful transfer.

13 MR. BIRENBAUM: Could you describe the
14 PNAC area? Where is it located?

15 MR. BODARY: The PNAC area is located on the
16 near east side of Detroit and basically the boundaries
17 on the South is Gratiot, on the East Mt. Elliott, on the
18 North Warren and on the West Dequindre and the Grand Trunk
19 Railroad. It is approximately this area that is serviced
20 immediately by PNAC. There are a hundred and twenty to
21 a hundred and thirty square blocks.

22 MR. BIRENBAUM: What is the racial composition
23 in the PNAC area?

24 MR. BODARY: Pretty much -- the racial
25 composition in the PNAC area is 85 to 90 per cent Negro

1 and about 10 to 15 per cent white.

2 MR. BIRENBAUM: And where is it located
3 with reference to the Twelfth Street area where the riot
4 occurred?

5 MR. BODARY: Well, the Twelfth Street area
6 is on the west side of Detroit and north of the Boulevard,
7 and the PNAC area is south of the Boulevard on the east
8 side. I would imagine it's a relative area of -- or, a
9 distance of about four miles.

10 MR. BIRENBAUM: So they are not contiguous?

11 MR. BODARY: Not contiguous, no.

12 MR. BIRENBAUM: When did you first become
13 involved with the PNAC group?

14 MR. WALSH: Well, we became involved with
15 the people who ultimately made up the PNAC group back in --

16 MR. BODARY (Interrupting): '66.

17 MR. WALSH: Informally I became involved
18 back in about 1964 and at that time the Sophie Wright
19 Settlement was attempting to develop some type of a
20 neighborhood program and I was requested to come and talk
21 to the people in the given area.

22 MR. BIRENBAUM: That was a settlement house
23 in the area?

24 MR. WALSH: A settlement house, yes. The
25 Sophie Wright Settlement, which plays a very important role

1 in our involvement here, as -- in order for an outside
2 agency, or an outside group, whether it be formal or
3 informal, government or private, in order to come into an
4 area, a formal sponsor, a neutral lead into the area is
5 extremely important, otherwise the people tend to set up
6 a sort of a boundary maintenance; that your presence is
7 threatening to the people.

8 Well, in this case we used Sophie Wright and
9 at this settlement house -- this is a good four years ago,
10 I came in and talked with the people and told them that
11 the key to improving their neighborhood was not based on a
12 few people spending a lot of money, but a lot of people
13 spending a little money and joining together and getting
14 things down and at that time they developed a sort of a
15 clean-up, fix-up, paint-up program, all on their own; got
16 the kids working and so forth. And this has been done in
17 many places all across the Country. Of course, it worked
18 out quite well and the people got a little sense of
19 involvement, and from that time I worked closely with the
20 Sophie Wright Settlement people.

21 Ultimately I got on their Board of Directors
22 and attempted to work with them in trying to develop a
23 community action toward neighborhood improvement. In that
24 we got from negative perception to positive perception to
25 community, and then it was in the Summer of 1966 that we

1 came in with a formal action where we joined with the
2 Michigan State Department of Sociology Center for -- or,
3 Organizational Research Unit and the Sophie Wright Settle-
4 ment House and collectively we went to work on this pro-
5 ject.

6 MR. BIRENBAUM: What were some of the
7 activities sponsored by the PNAC organization?

8 MR. WALSH: Well, first of all the -- what
9 we did is we developed this leadership base map in which
10 we found -- we went out and interviewed on an informant
11 basis rather than a door-to-door basis, and found the
12 leaders of the community, the organizers in the community
13 and then as we found these we made an attempt to bring
14 these people together without our being present, but just
15 bringing them together so that they could discuss some of
16 the areas of common interest.

17 George Kelley who had Mr. Kelley's Social
18 Hall on Chene Street suggested they hold a meeting in his
19 place and they did and some, what was it, 51 different
20 organizers, or leadership prospects were present, and
21 then they at this time discussed areas of common interest
22 and what they could work on, kind of broke down, and from
23 this they started an organization known as the Positive
24 Neighborhood Committee.

25 The first action that they undertook under

1 this premise or concept, rather, of developing positive
2 perception was an attempt to get an independent successful
3 experience in this area. One of the high points, surpris-
4 ingly, was the need for recreational space which was very
5 important to these people, high on their list, and so they
6 at first decided that they would get together and go down
7 and see if they could get new recreational facilities and
8 they came to us and we suggested that our study had also
9 shown that there was a substantial number, a great number
10 of vacant lots in the area which had really no economic
11 value, in that you build a house on it and the house cost
12 ten thousand; when it was finished with financing available
13 and so forth, why, the house would be worth eight or seven,
14 even brand new, so these lots were selling for almost
15 nothing.

16 We suggested to them that they find out
17 where the recreational needs were; that they go out and
18 raise some money, buy these lots and put in their own
19 recreational facilities. They did. The first step they
20 made was to identify where their need was, and it was
21 quite amazing.

22 The next time they came back to us they
23 came back with the areas circled by -- or, squared out by
24 blocks and they knew how many kids at what age were in
25 each group and where they were currently playing and what

1 their needs were, and it was just a great job. Then they
2 wanted to know who owned the properties and they said --
3 well, they had asked us as a resource to get this information
4 for them, who owned the properties and what they were
5 zoned for and what they could use them for and so forth,
6 what the assessment might be, and we pointed out to them
7 that we weren't a resource of this type, we were simply --
8 we would lead them to resources and we suggested that they
9 -- maybe the best resource for doing this was at a meeting
10 at our office the next day.

11 They sent six people who would range in age
12 from what, about 50 to --

13 MR. BODARY (Interrupting): 65.

14 MR. WALSH (Continuing): -- 65, and they
15 came to our office. Jack Bodary met them and Jack's
16 background is in education. He spent from -- half a day
17 with them, taught them how to read the plat books; taught
18 them how to read zoning books, took them over to the
19 Assessor's Office, taught them how to read the Assessor's
20 Roles, and all of the other information.

21 When they came back two weeks later, 200
22 lots were identified with the owner's address, legal
23 description, assessment, lot size, zoning, a regular
24 professional job, and were extremely happy about it, because
25 this is something that they had done.

1 At this time, then, they were going to go
2 ahead with this recreation program, but at this time Bob
3 Knox of the Housing Commission called me and said that the
4 Archdiocese was entering into a demonstration program with
5 the Federal Government for this Phoenix Housing and wanted
6 to know if I might have some idea where they could locate
7 it or where they could find some land to go to them and I
8 told them the program in my opinion would be as much of a
9 failure as the normal public housing program if it was just
10 superimposed in a neighborhood. It would immediately --
11 this particular demonstration program on low cost, low
12 income housing, which is descriptive but certainly negative
13 in its approach for a neighborhood.

14 I suggested that these remarkable people
15 that we were working with, the PNAC people might go in with
16 it, but I told them that I doubt it if they would simply
17 be the recipients, that they have to be in some way the
18 co-sponsor, but they said that they would want to buy the
19 land, that they wanted to be a true co-sponsor, and that
20 was totally independent of what we said to them.

21 They sat down and they worked out their
22 requirements to be a part of this co-sponsorship, one that
23 they had at least half of the members on the Board of
24 Directors come from the neighborhood, and that they have
25 certain veto privileges in design and so forth. In other

1 words, that they would be really full participants and
2 then they undertook this project and this project which
3 has been -- started off as an exciting project, new National
4 demonstration project with people coming in from Washington
5 and Harvard and so forth, and it has kind of taken them off
6 the target of some other minor projects, although -- well,
7 let's take it this way: It's taken over the recreational
8 program, but they have several other things that they have
9 shown interest in, but there is one particularly which
10 identified this proper action that I would like Jack Bodary
11 to explain, the recreational program.

12 MR. BODARY: Right. About the time of the
13 riot these people had the Campau School which has a large
14 play area, but it was not able to be used by the kids in
15 the area for the last 15 to 20 years. They had gone back
16 and forth from the school Board to the Department of Parks
17 and Recreation, to the Police, and they could get nobody
18 to say yes, that the kids could use it. So, Mrs. Rushing,
19 one of the members of the PNAC Group who was very interested
20 in recreation, called the Police, the Board of Education,
21 the Department of Parks and Recreation and CHAMP, the
22 Federal Agency for Recreation; got them all together at a
23 meeting and said, "Now, here is the problem: We would like
24 to have it open and what can we do? You people settle it."

25 Once these people sat down, these four

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1 agencies together, in an hour's time the Police said,
2 "All we have to do is have somebody tell us not to chase
3 the kids off." The School people said, "It's all right
4 with us to use our property." The Recreation People said,
5 "Well, I think, you know, we can't afford to staff it, but
6 it would be all right if you can get people to staff it,"
7 and CHAMP said, "We will get people to staff it," and in
8 an hour's time the thing was open.

9 Another thing has come up since this thing
10 and that is at Northeastern. Their relationship with the
11 School Board, they are one of the first in the City that
12 we know who have parent advisory groups to the Principal
13 at Northeastern High School, involving all school matters,
14 changes in curriculum, building, and all the rest, and this
15 has all been through a positive attitude on how can we help
16 you to make this neighborhood better.

17 MR. BIRENBAUM: Getting back to the
18 recreation situation, did PNAC raise some money --

19 MR. WALSH (Interrupting): Yes.

20 MR. BIRENBAUM (Continuing): -- to purchase
21 some of the lots that you described?

22 MR. WALSH: Yes, they raised some money.

23 MR. BIRENBAUM: How much was that?

24 MR. WALSH: I forget.

25 MR. BODARY: They had pledged, and the

1 pledges are still being paid, by the way, but they had
2 pledged at that time something around --

3 MR. WALSH: It was around \$3,000.

4 MR. BODARY: (Continuing) -- \$3,000 from
5 the different block clubs and the communities in the area.

6 MR. WALSH: What they did, they went to all
7 the organizations, clubs, and each one pledged so much.
8 They put up this money and when they went into the building
9 program they didn't have it immediately available, apparently
10 the Diocese loaned the money to them and they are paying
11 it back.

12 They are still moving ahead on this and
13 they are raising money many different ways, not only from
14 the block clubs pledges they are raising, but within
15 PNAC themselves, doing a few things, they are doing some
16 things to raise some money.

17 MR. BIRENBAUM: Off the record.

18 (Whereupon a discussion was held off the
19 record.)

20 MR. BIRENBAUM: We understand that the
21 PNAC area did not -- strike that.

22 We understand that the people in the PNAC
23 area did not actively participate in the riots at all,
24 but took actions to prevent the riot from actually spread-
25 ing over into their territory.

1 Could you tell us -- strike that.

2 Are you familiar with the characteristics,
3 racial and housing, welfare and others, sociological, of
4 the areas where the riot actually did take place; the
5 Twelfth Street area and some of the other places in
6 Detroit where -- which subsequently were affected by the
7 riot?

8 MR. WALSH: Yes.

9 MR. BIRENBAUM: How would you compare, using
10 those criterion, the Twelfth Street area and some of the
11 other areas where the riot actually spread out into, with
12 the PNAC area?

13 MR. WALSH: Well, starting with the Twelfth
14 Street area. The Twelfth Street area is the most logical
15 tinderbox area in the City of Detroit. It is semi-unique
16 when you compare it to any of the other areas, either the
17 PNAC area or any of the areas to which the riot ultimately
18 spread.

19 In direct comparison between the PNAC area
20 and the Twelfth Street area we find that the Twelfth Street
21 area is of a substantially higher population density; a
22 more-- a younger neighborhood, in that there are more young
23 people of employable age who are not employed, and probably
24 greater extremes in income, in that there are within the
25 area -- there are people who are -- professionals, and

1 people who have good jobs at a higher income, but then you
2 have got -- when you get to this large number of unemployed,
3 you reach rock bottom.

4 Now, in the PNAC area, it's a more mature
5 and older neighborhood, more stable in that the people
6 are either employed, or in some kind of relief program,
7 but a much smaller number of unemployed.

8 The housing in the Twelfth Street area, they
9 are substantially higher. There are a number of apartments,
10 larger houses, a greater capacity for population density,
11 physically the capacity for this density does exist.

12 There in the PNAC area you are talking
13 about frame, one-story houses with some two-story houses
14 intermixed, on 25 and 30 foot lots, mostly 30 foot lots.
15 As I said, that you don't have the population densities,
16 they are one or one and a half story houses and a number
17 of twos, but no where near the population density and the
18 area is really a quieter spot.

19 Now, insofar as you don't -- you don't
20 develop the pedestrian traffic on any of the streets.
21 Chene Street would be an example. Compared pedestrian
22 traffic on Chene Street to Twelfth Street, there is just
23 no comparison.

24 This area, the PNAC area has probably gone
25 through a great part of its transition and it's slowed down,

1 although it was never really much of a swinger neighborhood
2 as Twelfth Street has become.

3 The factor of employment is -- these people
4 are employed in the PNAC area. Those who are employed are
5 employed at not high paying jobs, but steady types of
6 things, and where this area, the PNAC area is similar to
7 many of the areas that the riots did in fact expand into,
8 as Detroit is essentially single family residence type of
9 a city, which just parenthetically is one of the reasons
10 that a great number of people thought the riots could never
11 have occurred here, because it's spread out so far, but in
12 many of the areas the riots spread out, you had a similar
13 type of situation, single family homes, frames, and not
14 the same population density that Twelfth Street had.

15 In the area, the PNAC area, about 40 per
16 cent of the single family residences were owner-occupied,
17 and by owner we mean the person either owns it or is buying
18 it on some kind of financing, land contract; and the Twelfth
19 Street area, you would have a similar, perhaps a slightly
20 higher number of people buying their own homes where you
21 have single family residences, but the higher percentage
22 of apartments and flats produced a substantially higher
23 number of renters and with this you had the -- the Twelfth
24 Street, you have got a lot of bad buildings, very tough to
25 maintain large buildings, they are tough to maintain. You

1 have got problems, rats and sanitary problems and so forth
2 which I don't think are greatly different per capita than
3 they would be in the PNAC area, except that the concen-
4 tration of people make the concentration of restaurants
5 and so forth a much more serious problem.

6 MR. BIRENBAUM: So that, taking into con-
7 sideration what actually did happen in terms of the areas
8 which were eventually effected by the riot, it would be
9 your judgment that the PNAC area would be -- would have
10 been a logical candidate for having become involved in
11 some way in the riot itself, although it would not have
12 been a logical candidate for a place where the riot would
13 actually originate?

14 MR. WALSH: It could not have been the
15 tinderbox, but there is no reason in my mind for the riots
16 not to have extended up and down Chene Street without some
17 kind of action to prevent it. Chene Street had similar
18 concentrations of stores and services as did Mack, Mack
19 running just to the north -- just on the south side of
20 this area. Mack was very hard hit and very, very similar
21 neighborhood characteristics, very similar neighborhood
22 characterisitics.

23 I think the one other factor that I think
24 I should probably point out is in the Twelfth Street area,
25 in this tinderbox area and the areas around it, that --

1 the number of younger people, I think that if we talk
2 about this riot as an anti-establishment riot, I think
3 it's very important to recognize that this is not purely
4 a riot of the disadvantaged; that a great percentage of
5 the riot thrust comes from the disillusioned and I think
6 that this point of disillusionment which had heavier con-
7 centration in Twelfth Street and surrounding the Twelfth
8 Street area, because of a higher percentage of the unemploy-
9 ed people, younger people, made it the tinderbox.

10 MR. BODARY: I think one of the other
11 differences in the two neighborhoods is in fact the PNAC
12 area is actually an older area as far as the residents
13 themselves are concerned. They have been located there
14 much longer than in the Twelfth Street area.

15 MR. WALSH: I would say it's more estab-
16 lished even though it's an older area and if you drove
17 through the two I would say that you would rather live
18 there.

19 MR. WILSON: Okay. Thank you, gentlemen.

20 (Whereupon the depositions were concluded.)

21 - - -

1 STATE OF MICHIGAN)
 2 COUNTY OF WAYNE) SS.

3 CERTIFICATE OF NOTARY PUBLIC

4 I, Gerald Hanson, of the firm of BETZ,
 5 ROWLEY and SUMMERS, Qualified Court Reporters, a Notary
 6 Public within and for the County of Wayne, State of
 7 Michigan, duly commissioned and qualified, do hereby
 8 certify that the witness whose attached sworn deposition
 9 was taken before me on Tuesday, January 9, 1968, was by me
 10 first duly cautioned and sworn to testify the truth, the
 11 whole truth, and nothing but the truth; and that the said
 12 deposition is a true and correct transcript of the whole
 13 of the testimony so given by the said witness upon his oath.

14 I do further certify that I am not connected
 15 by blood or marriage with any of the parties, that I am
 16 not employed by either of them, nor interested, in this
 17 matter in controversy, directly or indirectly, in any way.

18 IN WITNESS WHEREOF, I have hereunto set my
 19 hand and affixed my notarial seal at Detroit, County of
 20 Wayne, State of Michigan, this 16th day of January,
 21 1968, A.D.

22
 23 Gerald Hanson
 24 Gerald Hanson
 25 Notary Public, Wayne County, Michigan
 My Commission expires November 12, 1968

NACCD
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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

I-N-V-E-S-T-I-G-A-T-I-O-N

Re: Detroit, Michigan

The Deposition of CAROLE WILLIAMS, taken before Robert Prost, a Notary Public within and for the County of Oakland, State of Michigan, on Thursday, January 11, 1968, at 457 Federal Building, Detroit, Michigan, commencing at 9:30 o'clock in the forenoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. DAVID BIRENBAUM

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Detroit, Michigan
Thursday, January 11, 1968
About 9:30 o'clock, A. M.

- - -

C A R O L E W I L L I A M S, after
having been first duly sworn by the Notary Public to tell
the truth, the whole truth, and nothing but the truth,
testified as follows:

- - -

EXAMINATION BY MR. BIRENBAUM:

MR. BIRENBAUM: May the record show
that the witness has been sworn.

Q Would you please state your name and give us your address.

A Carole Williams, C-a-r-o-l-e. My home address, 5723
Vermont. My office address, 6061 Grand River. The
telephone number there in the office is 894-6990.

Q Mrs. Williams, where are you now employed?

A I am not employed at all actually.

Q I see. What is your occupation?

A I was a teacher. And I am on leave to direct the program
on a voluntary basis for now.

Q And were you a teacher in the Detroit School System?

A Yes, I was for seven years.

Q In what school were you teaching?

A At McMichael Junior High School.

1 Q Does that school serve the Detroit Inter-City area?
2 A Yes, it does. It is approximately five blocks -- no,
3 eight blocks from the Twelfth Street area.
4 Q And you taught there for seven years?
5 A Yes, I did.
6 Q Have you taught anywhere else?
7 A Yes, for a brief period I taught at what is known as the
8 Northwest Section, which is predominately a white section,
9 for one year.
10 Q What is your educational background?
11 A I have a B.A. degree from Wayne State University and I am
12 working on my Masters at the University of Michigan.
13 Q You then left the Detroit School System when?
14 A This past October, 1967.
15 Q And what was the purpose of your leaving the school system?
16 A I had hoped that I could direct the Volunteer Placement
17 Corp and work at the same time, but after I got involved
18 I found that this was really going to require a full-time
19 position in terms of getting jobs open and finding out what
20 total job training programs were open. Therefore, I asked
21 the Board for a leave of absence to direct the program on
22 a full-time basis.
23 Q Would you describe the nature of this program that you
24 just referred to?
25 A The purpose of the program is to place graduating youngsters

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into college, to job training programs, or on a job, immediately after graduation.

We hope to achieve this by actually registering the youngsters in the program before he graduates. We would prefer the 11th grade, but as it stands now -- because we feel this is extremely urgent -- we are registering them in the first month of their Senior year.

Q Before getting into a discussion in detail of how this program operates, would you tell us whether you conducted a study before launching this program?

A Yes.

Q Into the relationship between education in Detroit and employment for youngsters graduating from the Detroit School System?

A Yes. We conducted a study of Northwestern High School on Grand River and West Grand Boulevard. The study was made of the graduating class of June, 1967.

We called the youngsters. This was a phone study. And because I was familiar with quite a number of the youngsters, I felt fairly free in talking. And I felt they were quite open with me.

We found that between June and roughly the middle part of September that less than 10 per cent of them seemed to be employed or on the way to college.

- 1 Q How many youngsters did you survey?
- 2 A We called close to 300.
- 3 Q And this is Northwestern High School?
- 4 A Northwestern High School.
- 5 Q Where is that located?
- 6 A Grand River and West Grand Boulevard. Again, that too is
- 7 eight blocks from the Twelfth Street area.
- 8 Q I see. Does it serve children living in the Twelfth Street
- 9 area?
- 10 A Yes, it does. Also the Grand River -- Grand River was one
- 11 of the real target areas in the riot. And this high
- 12 school was right in the middle of it.
- 13 Q Did you, in conducting your study, also look into the
- 14 employment status of youngsters who had dropped out of the
- 15 school system before graduating?
- 16 A Yes.
- 17 Q What did you find?
- 18 A We found that at least 50 per cent of the youngsters that
- 19 we surveyed, which was roughly about 50, that we were
- 20 able to contact, were employed. And they were the same
- 21 ages as the number of students who had graduated from
- 22 Northwestern in June of 1967.
- 23 Q When you say "we" who was working with you?
- 24 A Douglas Ross, the other teacher that helped me start the
- 25 program.

1 Q He too is a teacher in Detroit?

2 A He was. He also is assisting to direct this program.

3 Q In connection with this survey of graduates from North-
4 western High School, did you also get in touch with
5 employers or prospective employers?

6 A Yes, I did. I have talked to Michigan Blue Cross, Blue
7 Shield Insurance Company, and this is in regards to the
8 -- our pilot program, and this private program is coming
9 out this month.

10 Q I understand. What I wanted to get into is whether you
11 explored the reasons from the employer's point of view
12 or this lack of employment for youngsters graduating from
13 Northwestern High School.

14 A I have talked with employers. And, of course, at length
15 with the Michigan Employment Security Commission. And to
16 be very frank with you, I feel that they are not really
17 aware of the real problem that a high school youngster
18 has. They continue to say, "Well, we are going to give
19 tests, and we will give interviews, and we will see."

20 But, you see, we find that no job
21 offer or anything can be meaningful, no job training
22 program can be meaningful unless there is almost a
23 guarantee of a job beyond this. Kids have been disillusioned
24 a long time. And, unfortunately, the employers
25 kept looking for super human beings. They don't look for

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people that they have to train directly on the job. And this is a problem that I have been running into.

But, at the same time, I do seem to feel some breakthrough, such as Michigan Blue Cross and Blue Shield. They want to do something in this area, and they are asking for help. And I think their case is indicative of many employers that simply want to know how to go about it. They want quality, yet they want to help too.

Q In connection with your conversation with these employers, did you discuss with them their opinion of the degree from Inter-City High Schools, the value of an Inter-City High School degree?

A No, I didn't. But I will say this, I got a strong feeling that they were hesitant. It wasn't something that was said out directly, no. But they were hesitant. And they were aware -- they felt -- the feeling is that the youngsters graduating from Inter-City High Schools are just not prepared. The youngsters feel this also, by the way.

Q That he is not prepared?

A That he is not prepared.

Q Now, subsequent to your completion of this study, did you then embark upon a program designed to alleviate the problems that you discussed?

A Yes, I did. And I considered this an action program. We

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decided to call the program a Volunteer Placement Corp because the whole program depends totally on volunteers. We became a tax-exempt non-profit organization in August.

Q When you say "we," who else is involved with you in this?

A Douglas Ross, Christine McGhee.

Q Is she also a former teacher?

A Former teacher. And she works with CORE, Congress Of Racial Equality. She is not working full-time on the program. Douglas Ross, he comes in and helps where he can. I am the only one that is here all day, everyday, seven days a week.

At any rate, we felt that the Volunteer Placement Corp should -- it's main objective was to put the community in contact with the student and the students problem. And at the same time, give the community, through the volunteer, the necessary know how for helping this youngster into a gainful career after graduation.

We found that, really, many of the Federal programs were there, but quite frequently the income criteria was a deterrent for, let's say, a parent that earned five thousand dollars a year with three children in the family, yet his son graduated from high school, not prepared to do anything. He still wanted to be trained, but he doesn't go down to MDTA, because he earned more than three thousand dollars within this level.

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2 But his youngster is still there, there is so many like
3 that.

4 I think the wrong emphasis may be
5 placed on financial poverty. It is not that per se, it is
6 probably academic poverty, knowledgeable poverty, poverty
7 of not knowing where to go. A man might choose to be poor.
8 But when a man is poor and he wants to be rich and he
9 doesn't know what to do, it is a tragic situation.

10 So, the volunteer, then, we give the
11 volunteer the knowhow and we radiate through the community,
12 through the volunteer, hopefully that in the end we can
13 solve two problems; first, the problem of getting more
14 youngsters into jobs simply because they will see some
15 success, employees graduated from high school. He actually
16 got a job. See, this has meaning.

17 Now, this, someone keeps asking,
18 "What about the dropout rate?" My feeling is that the
19 dropout dropped out now because right now he feels it is
20 more to his advantage to drop out. We have not officially
21 shown him any reason to stay there.

22 So, with the success of a program of
23 this sort, with kids going, not out 20 here and 30 there,
24 but in mass numbers into various areas of really responsible
25 citizenship in the world of work, this automatically puts
a stigma on the dropout among the peer group. This is what

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counts to him. What we think as adults means nothing. But his peer group, "See, you haven't done very much, see what I am doing now." Then the incentive is to stay in school, because school has real meaning.

Q This program provides volunteer counselors to youngsters who graduated from the Inter-City schools?

A No, not graduated, before they graduate.

Q I see.

A The volunteer has six months to work with the student before he comes out of school. The volunteer is ask to check with Blue Cross and Blue Shield, checking with MDTA for the apprenticeships, register two nights a week.

Q So, you are engaged in developing job oppertunities and then the volunteer communicates this knowledge and informa-tion to the student and attempts to motivate him to pursue the employment oppertunity?

A That is right.

Q And this is carried out as well with higher education?

A Oh, yes.

Q You are visiting colleges?

A Oh, yes.

Q Attempting to identify oppertunity for higher education and to motivate the youngsters in the Detroit School System to take advantage of the oppertunities?

A That is right. In fact, I would like to use much more than

#2

1 "motivate." I would like to use the word "Take them."
2 We ask our volunteers to be prepared to take the youngster
3 in your car and actually take them down to Wayne State
4 University and take the test, if they have to. Be prepared
5 in the event the kid cannot get transportation and lives
6 a long way from the possible place of employment, be
7 prepared to take off a day and take the youngster for an
8 interview for a job.

9 Q Now, are these volunteers paid?

10 A No, no volunteer is paid at all.

11 Q And are you conducting this program under a grant or under
12 a governmental support of some kind?

13 A I presented the program to the Ford Motor Company in
14 August, and in October I received an initial \$5,000 grant,
15 which was used to take youngsters to Atlanta to go visit
16 Negro colleges there. And to take them to Hampton
17 Institute to show them what campus life is like, dormitory
18 life is like. We let them participate in the recreational
19 activities, football games, dances, they attended plays;
20 a full free days cultural experience right on a college
21 campus.

22 And you might note I did choose
23 Negro colleges. I did this because it is important that
24 what school we put our youngsters in, that first that
25 initial year they feel some sense of pride and belonging.

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2 Unfortunately, no other university has
3 been yet able to do a fairly good job of that. The Negro
4 youngster is still isolated on the campus.

5 So, I feel it vitally important that he
6 feels he belongs and he gets over the hump and grind of
7 the studying. And he can do it among his peer group,
8 people that speak his language. And then after the first
9 year or two years, he feels secure himself enough to come
10 to a Northern University, and whether accepted or not,
11 continue to achieve.

12 Q Referring again to your survey you conducted, did you
13 prepare your findings in a written form?

14 A I have scattered notes. And I will be very frank, we were
15 really rushing to get this out and get the program on the
16 road before school started. And, actually, after about
17 the first 100 students we were convinced. We already had
18 the idea. We were convinced we were heading on the right
19 track. I kept scattered notes. I have not written them
20 up. They are in note form and can easily be written up,
21 yes.

22 Q Did you present your findings to the Detroit Board of
23 Education?

24 A I discussed it with them. I didn't present them in paper
25 form, no. Well, the Detroit Board of Education was
receptive, yes. It is a program that I think that -- I

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2 won't have to present it, particularly. I think they are
3 aware of it themselves.

4 I tried to get, through the Board's
5 records, the number of youngsters who had actually been
6 placed in college or where they went. And we were not able
7 to get any figures of any sort, you see. And I think that
8 they are aware that somebody needs to know where our
9 youngsters are going. And they haven't been equipped to do
10 it.

11 Q Do you know whether any other group has made a similar
12 study?

13 A No, I don't. I do know there is a group, Higher Educational
14 Opportunity Committee, working out of Wayne State University.
15 They are trying simply to do a fairly good job of locating
16 possibly college potential youngsters. Again, the emphasis
17 is college bound students.

18 Q To your knowledge no one else has made a study of the
19 employment and higher educational status of graduates from
20 Inter-City High Schools?

21 A Not that I know of. I went to the Michigan Employment
22 Security Commission that actually registers every student
23 in the city, and they have no record.

24 Q Do you have anything further that you would like to tell
25 us?

A No, I think that is just about it.

1 We do have a Board of Directors that I
2 was able to get going for me. Two of them have been
3 working on the new Detroit committee. Mr. Levi Jackson,
4 and Doctor Charles Stewart.

5
6 Q Have you prepared a summary of your program in written
7 form?

8 A It will come out in -- well, the initial synopsis is here.
9 But the actual report as to how far we have gone into and
10 up to this point will not be out before the last of this
11 month. This is when I will meet with my Board of Directors
12 and make a full report as to our status for beginning
13 1968.

14 Q I hand you this document entitled "Volunteer Placement
15 Corp, Incorporated, a synopsis of purpose and program,"
16 dated 1967. Is this the initial synopsis that you refer
17 to?

18 A Yes, it is.

19 Q This synopsis will be incorporated in the record as an
20 exhibit. I believe the number would be D-17.

21 A I might add one thing, and if adding can mean that you can
22 make a suggestion, I have been looking very strongly at
23 the Federal programs here, and I would like to suggest
24 possibly that one thing be considered and be considered
25 very strongly, and that is a possibility of making facilities
available to all youngsters within Negro communities. It

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is not, again, -- I can't over emphasize this -- that every youngster is poor. It is that they need help. And many of the programs are designed to give the type of help they need. And beyond the training program they offer, there should be a definite attempt to get definite commitments for job placement. Because no program is going to be realistic to a youngster -- and they are very realistic -- unless we can show them there is a possibility of really getting employment afterwards. Otherwise, the word goes out again that it is a sham. That is it, thank you.

(Whereupon the deposition was concluded.)

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STATE OF MICHIGAN)
) SS:
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Robert Prost, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Oakland, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me on Thursday, January 11, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth; and that the said deposition is a true and correct transcript of the whole of the testimony so given by the said witness upon her oath.

I do further certify that I am not connected by blood or marriage with any of the parties, that I am not employed by either of them, nor interested, directly or indirectly in this matter in controversy, in any way.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at Detroit, County of Wayne, State of Michigan, this 12th day of January, 1968, A. D.

Robert Prost
Robert Prost
Notary Public, Oakland County, Michigan.
My Commission expires November 28, 1971.

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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

 I-N-V-E-S-T-I-G-A-T-I-O-N
 Re: Detroit, Michigan

The Deposition of STANLEY WEBB taken
 before Mignon E. Attard, a Notary Public within and for
 the County of Wayne, State of Michigan, at 457 Federal
 Building, Detroit, Michigan, on Thursday, January 11,
 1968, commencing about 11:00 o'clock in the forenoon.

FOR THE NATIONAL ADVISORY COMMISSION:

- MR. DAVID BIRENBAUM
- MR. MERLE McCURDY
- MR. NATHANIEL JONES

- - -

Detroit, Michigan

Thursday, January 11, 1968

About 11:00 o'clock, A.M.

- - -

S T A N L E Y W E B B, a witness herein,
having first been duly sworn by the Notary Public to tell
the truth, the whole truth and nothing but the truth,
testified as follows:

EXAMINATION BY MR. BIRENBAUM:

10 Q Would you state your name, please?

11 A Stanley Moses Webb.

12 Q And where do you live, Mr. Webb?

13 A 16612 Normandy.

14 Q And that is in the City of Detroit?

15 A Yes.

16 Q And where are you presently employed?

17 A Detroit Board of Education.

18 Q What is your position with the Board of Education?

19 A Administrative Assistant to the Detroit High School Study
20 Commission.

21 Q And were you formally on the staff of the Community
22 Relations Service?

23 A I was employed as summer consultant to the Community
24 Relations Services.

25 Q Were you in the riot area, Twelfth Street area on Sunday,

1 the first day of the riot, June of 1967, July?

2 A July 23, yes.

3 Q And where were you, where were you located at that point?

4 A At about 1:45, between 1:45 and two o'clock I would be in
5 the area of Twelfth and Clairmount, down to Twelfth and
6 Virginia Park.

7 Q When did you first enter the area?

8 A It was about 1:45.

9 Q P.M.?

10 A That was 1:45 P.M., yes.

11 Q Were there crowds then on the street?

12 A There were crowds on Twelfth Street, there were crowds on
13 Fourteenth Street and all of the streets running perpen-
14 dicular to Twelfth and Fourteenth.

15 Q And approximately how many people would you say were out
16 on the street at that time?

17 A A rough guess, around two to three thousand people in the
18 area.

19 Q Were these predominantly young people or was this a mixed
20 group?

21 A It was a mixed group, young, old, male, female.

22 Q Could you observe any of the looting that was going on --
23 strike that.

24 Had looting begun at that point?

25 A Definitely. It had been in progress evidently prior to my

1 arrival and was continuing throughout the time I was
2 there.

3 Q Could you describe how long it was carried on?

4 A Particular on Twelfth and Clairmount and the next street
5 going South there was a shoe store on the corner, on the
6 Northeast corner, as well as there was a store in the
7 next block with three cordons across the street. Younger
8 boys, I would say between the ages of 15 and 20 would
9 attempt to break in one place and as the cordon of police
10 would bring their rifle to port arms and moved toward the
11 group, the group would then go down the alley and come
12 out on Clairmount and Twelfth and break into the other
13 place. It was a cat-and-mouse game, seemingly. This
14 seemed to be the tactics up and down Twelfth.

15 Q This was taking place up and down the entire street as
16 far as you could see?

17 A Right, as far as I could see.

18 Q And after the youths who were engaged in breaking into
19 these stores had left the stores did the crowd then enter,
20 more people go in?

21 A More people went in and stayed for a short while, then
22 the place started burning.

23 Q I see. Could you see, did you see anyone actually igniting
24 buildings or --

25 A (Interrupting): No.

- 1 Q How would you characterize the mood and attitude of the
2 people who were out on the street at that time?
- 3 A I would interpret that as complete freedom without
4 restraint.
- 5 Q Were they generally happy or was there, did you detect a
6 sense of anger or --
- 7 A (Interrupting): I didn't see any tears. You can strike
8 that.
- 9 Q That is all right.
- 10 A No one appeared to be unhappy. It appeared as though, to
11 me, anyway, that this was the maximum participation of
12 the poor, if you will.
- 13 Q Were there large numbers of people who were observing what
14 was going on but not participating in it?
- 15 A I would say there were more people observing than
16 participating.
- 17 Q To your knowledge were these people who were observing
18 what was going on residents of the area?
- 19 A I would say they were residents of the area. There were
20 people coming out from houses on porches, what have you.
21 Most of the people, I would say, were residents of the
22 area because of the way they were dressed.
- 23 Q How were they dressed?
- 24 A Some people still had on bedroom clothes, robes. It is
25 kind of hard for me to say. These people don't wear

1 bedroom clothes all the time. I am quite serious. I
2 would suspect from this that these were people that lived
3 in the area. As I indicated from the people on the porches
4 going into the houses, there seemed to be the kind of
5 expressions between people that are very familiar with
6 each other.

7 Q Were you able to observe the behavior and activities of
8 the police?

9 A Yes, I was, and I --

10 Q (Interposing): What were they doing?

11 A When I drove into the area the police had blocked off the
12 streets that run perpendicular to Twelfth Street and
13 Fourteenth Street. They had these wooden horses across
14 the street. This was my first encounter with the police
15 and I parked my car in one of the areas that were blocked
16 off.

17 The police just moved the horse and let me
18 drive in without any questions or any indications. Others
19 seemed to be doing the same. The police would pull the
20 horses back and pull, let the people go through. They
21 were laughing and talking and joking with the people up
22 and down the street. This was on Fourteenth Street, one
23 block West of Twelfth Street.

24 The police on Twelfth Street seemed to be
25 assigned every other block. There were about 12 officers

1 that made something up like a squad and they were lined
2 across the street just standing. They too were joking
3 with the crowds at times, at times just standing there in
4 a line across the street.

5 As these kids, as I mentioned previously
6 would attempt to break down the iron mesh around some of
7 the stores, one sergeant, squad, moved from the middle
8 of the intersection, brought their guns to port arm and
9 headed toward the kids. Then the kids ran away. The
10 policemen walked back to their original posts until the
11 kids then broke in a block away and again they brought
12 their guns to port arms and headed toward the kids who
13 were breaking in. However, I should say at the same time
14 I was standing close to one of the squads and as the
15 officers pulled the helmet protectors down over their
16 face, brought their rifles up and started to walk, a
17 barrage of bottles and bricks were thrown at the cops and
18 I was between the cops and those throwing the bottles
19 and got out of the way.

20 The cops were doing nothing but walking
21 towards the people in, I guess, military manner.

22 Q Did they make an effort to arrest the youngsters who had
23 been engaged in breaking into any of these stores?

24 A At this time, around two o'clock, I didn't see officers
25 making any arrests at all. There was one group of officers,

1 I believe they were Commandos, that were a bit firmer
2 and a bit more aggressive than the other officers which I
3 suspect were regular police officers. These were the guys
4 with the bayonets on their guns. They were very firm on
5 the streets that they were blocking off. They would let
6 nobody through, what have you. Their behavior was quite
7 different to the other police officers.

8 Q Did they make an effort to sweep the streets, disperse
9 the crowd?

10 A In the area I was in they did, but as they went through
11 then the crowd came right back behind them.

12 Q The crowd would reform?

13 A That's right.

14 Q The area which they had cleared?

15 A That's correct.

16 Q But there was, at that time, no resistance, no actual
17 incidents of fighting between the police and the crowd?

18 A No.

19 Q Were you in the area when the fire trucks were sent in to
20 extinguish the fires which had been ignited?

21 A Yes. This was going on as the kids were breaking into
22 the places down the street. First, let me tell you, the
23 area I was in. I would say, as you know, Twelfth Street
24 runs for about, I would say, ten blocks, maybe fifteen
25 blocks from Clairmount to the Boulevard and it appeared

1 as though the whole street was ablaze at that particular
2 time I was there. Fire engines would go from one end of
3 each block to the next and they were up and down this
4 whole ten-block area.

5 I don't think they would localize. In the
6 area I was in they would no more than start and there were
7 five blocks away, there were fires mushrooming up.

8 Q I see. What was the response of the crowd in your area
9 where you were stationed, to the fire trucks?

10 A The trucks, there would be no -- there was no difficulty.
11 People would move out of the way and fire trucks would
12 come screaming with sirens down the street. The people
13 moved out of the way, however, as they did go by you could
14 hear bottles smashing against the side of the truck or a
15 brick, but there was no interference with the firemen at
16 all.

17 Q No efforts to prevent them from putting out a fire?

18 A No.

19 Q Now, for how long did you remain in the Twelfth Street
20 area on Sunday?

21 A I stayed until about 5:00 P.M., approximately.

22 Q During the time between your entry into the area, I
23 believe you stated early afternoon, and five P.M., could
24 you detect any changes in the attitude of the crowd and
25 behavior of the police?

1 A First of all let me talk about the crowd. Prior to
2 leaving it appeared as though up in the area of Twelfth
3 Street the places that could have been looted were looted.
4 Many of the places were gutted because of the fires. So
5 around that time I would say most of the people had moved
6 off of Twelfth Street because there was very little
7 activity going on. The police officers were no longer
8 stationed at these interval blocks. Evidently they had
9 been removed. They had taken down the road blocks in the
10 cross streets. They were no longer there. There was
11 quite a bit of activity on the part of the Fire Department.
12 I did witness a change in attitude of a lot of the crowd
13 because as I said previously, the people were residents of
14 the area and many homes were burning at the time.

15 I think the feeling was that this is no
16 longer a joyous, jovial thing, it was their own homes
17 burning and neighbor's homes burning. I think this
18 changed quite a bit, coupled with there was no more
19 excitement on Twelfth Street. This changed the attitude
20 of many of the people.

21 Q When you say changed, you mean they became, were they --
22 strike that.

23 When you say that their attitude changed
24 do you mean they became hostile towards the riot itself
25 or --

1 A (Interposing): Well, some of the people were, the
2 attitude towards each other in a large part, you know.

3 Little kids, youngsters, young adults that
4 were breaking and burning things weren't treated as jovially
5 and as happily by the older people because many of the
6 older people's homes were on fire. There seemed to be a
7 shift in the wind around that time on particularly Linwood,
8 which I had gone over to Linwood, also. The wind was
9 carrying the flames from particular business establish-
10 ments. I think the name of the place was Turner-Brooks
11 Carpet Place. It was on fire. The wind had carried the
12 fire eastwardly to the residential areas and the people
13 had started taking the stuff out of the houses for five or
14 six houses down the street because they could see their
15 house was going to burn next.

16 I think this, in a way, affected the change
17 of attitude in the area I was in.

18 Q In the area in which you were located did you see any
19 attempts made by groups of citizens to assist the fire
20 fighters extinguishing the fires that had been set?

21 A I didn't see any assistance. I didn't see any assistance
22 at all. I saw particularly on the streets where homes
23 were burning, people going down to the corner and hollering,
24 flagging down, trying to stop the fire trucks to come to
25 their houses. So far as the firemen being assisted by

1 citizens, I didn't see any.

2 Wait a minute, I did. This was after I had
3 returned on Twelfth Street where, like I said, there weren't
4 very many people around and just the firemen working. You
5 had any number of people helping the firemen lift those
6 hoses and hook up hoses and moving the debris so the fire-
7 men could get to these places that were burning. That was
8 the only real assistance I saw.

9 Q When you say you returned to the Twelfth Street area, I
10 take it what you mean is you were walking through a larger
11 area, throughout most of that three-hour period?

12 A I returned to the Twelfth Street area after I had attended
13 a meeting at the Tenth Precinct Police Station. There was
14 a meeting of, I guess, citizens meeting there that was
15 held by the Mayor and Police Commissioner, the Assistant
16 to the Police Commissioner, John Conyers, there were about
17 a hundred people there.

18 Q What was the purpose of this meeting?

19 A I learned of the meeting from a fellow named Bob Kendall
20 and Congressman Diggs, that a meeting was being held at
21 the Tenth Precinct with these City Fathers. I am not too
22 clear on the purpose of the meeting. At that time I didn't,
23 I couldn't say what they purpose was, however, in attending
24 the meeting the Mayor, I believe, said that the meeting
25 was being held to see what could be done. I believe this

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is, you know, what he said, why he said the meeting had been called.

Q Were there any decisions made at that meeting in terms of action that would be taken?

A Well, at the meeting, as the Mayor said, it was to decide what could be done, but to me it turned out that the Mayor and the Police Commissioner pulled the people together to tell what would be done, not what could be done, or to try to gain insight from the people. I am pretty sure he said that the initial National Guard would come in, that property, lives would be protected, that he was asking for assistance from the Federal Government also.

Q Was there any discussion about using the Michigan State Police?

A The tone of the meeting was that the several leaders, community leaders, had implored of the Mayor to do whatever was necessary in terms of force to stop the riot and the Mayor did say he was trying to, was contacting the Governor concerning the National Guard and I also believe he said that the State Police were on their way or readily available. I can't recall exactly how, which the situation was.

MR. BIRENBAUM: Off the record.

(Discussion off the record.)

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Q (By Mr. Birenbaum, continuing): So that the Mayor at that meeting, indicated he would use whatever force was necessary to suppress the riot?

A Right.

Q Were there any other decisions approved at that meeting?

A Yes, a group of ministers decided they would meet the following day, I guess that would be Monday, at eleven o'clock at Reverend Aubrey's church, I don't know the name of the church, to see what role they could play. They had decided at that time there was nothing they could do. The best thing was to stay out of the way and encourage whoever they talked to to stay out of the way.

However, during that meeting there was a complaint by a number of people about the attitude and the performance of the police commandoes. There was a young kid named Charles Colby. He brought up during the meeting that might help in some way, the commandoes could be controlled a little better than they were being controlled. There were a few dissident voices after leaving that reposed to doing whatever was possible using force to quell the riot. I think the voices went unheard.

Q These voices you refer to, were they the voices of citizens?

A Citizens that lived in the area. Oddly enough there was a white fellow there that spoke up against the extreme use of force and there was several colored people there

1 that spoke out against the use of force, uncontrolled
2 use of force. No decision was made on those issues.
#3 3 In fact, the Mayor had to leave. He left with the Congress-
4 men, then the meeting dissipated.

5 Q Were there any specific alternatives to force proposed by
6 these citizens?

7 A I don't think there were any alternatives, just the request
8 not to use extreme force. I don't recall any alternatives
9 being offered.

10 Q Now, over the three to four hour period during which you
11 were in the riot area on Sunday, were you able to detect
12 any signs that the people who were engaged in looting and
13 fire bombing or fire setting, were in any way organized
14 or directed in their activities?

15 A I didn't see any organized -- I didn't witness any organ-
16 ized plan or what have you, but these younger kids, few
17 older folks with them saw that they could get away with
18 breaking in one place and breaking in another place. There
19 had to be some unity between the group itself. I don't,
20 I didn't see anyone that I could say was leading the
21 people, but there had to be some organization between the
22 groups as they were going from place to place. Even as
23 kids will do, you know, they are perceptive and wise
24 also.

25 Q So you would say it was spontaneous unity that developed

1 as the riot progressed?

2 A Right.

3 Q All right. During the three to four hour period which you
4 were in the riot area on Sunday, were you -- was there any
5 pattern to the looting which was being carried out? By
6 pattern I mean were the looters selective in terms of the
7 stores that they were looting?

8 A On Twelfth Street from Virginia Park down to Clairmount
9 I didn't see any selectivity except for one place. This
10 was Hugh's Barbecue and I would suspect that Hugh's
11 Barbecue was not looted at that time because the nephews
12 and cousins and uncles of the owner of the place or other
13 friends of the owners were standing around the place or
14 either inside the place to prohibit them. I didn't see
15 any selectivity. It looked as though everything -- for
16 example, Mabins Drug Store, which is Negro, on Virginia
17 Park, people were breaking in there and coming out with
18 bottles, pills, dumping them out, looking for something.

19 Two doors South of that is the Chit-Chat
20 Lounge. I don't know whether that is Negro owned, I
21 believe it is Negro run and operated. Anyway, people were
22 coming out of there with cases of beer and bar stools. I
23 didn't see any selectivity.

24 Q Were any of these stores identified as Negro establishments?

25 A Everybody knows Mabins is Negro. Everybody knows that

1 the Chit-Chat is at least fronted by Negroes. Folks in
2 the area know it. I don't live there, I knew it.

3 Q Did you remain in the general riot area during the rest of
4 the riot, that is, from Sunday through Thursday?

5 A I spent quite a bit of time in the riot area periodically
6 throughout the week and one of the most frightening
7 things to me was the attitude expressed toward me that I
8 experienced by the police, State Police and National
9 Guard as opposed to the attitude and behavior and treat-
10 ment by the Regular Army.

11 For example, on the East Side after curfew
12 when we drove up to a road block a soldier would clearly
13 identify himself and hold his hand up and stop the car
14 very courteously and ask for identification. He was clear
15 and visible. He wasn't pointing his gun, he seemed
16 rather businesslike. This attitude was not the attitude
17 of the police or the National Guard or State Police on the
18 West Side.

19 For example, we went down the Boulevard
20 traveling West at Grand River and out of nowhere hollers
21 a voice, "Stop the damned car." From nowhere came several
22 Guardsmen with guns pointed directly at us. I don't know
23 whether this is the result of them being afraid or battle
24 fatigue, if you will, or exactly what. But, they were
25 rather rude and brash and unbusiness-like. The same thing

1 happened further down Grand River with a convey of State
2 Troopers, Detroit Police had seen us stop at one check
3 point and stopped us three blocks down at which time the
4 cops completely surrounded the car I was in, one in front,
5 two on the side, and one behind, and they were State
6 Troopers, Detroit Police, pointing their rifles, ordering
7 us out of the car, clicking their safeties very menacingly
8 with the guns and very loud and abusive, very unprofessional
9 if I could say it like that.

10 Q Who was with you at this time?

11 A There was -- let me see -- Roger Wilkins, the Director of
12 Community Relations Services; a photographer by the name of
13 Bailey and an editor, one of the editors of Newsweek, I
14 believe. It was an integrated crew.

15 Q So that you had a business reason for being in the area?

16 A That is right, as well as each of us had proper identifi-
17 cation that one would expect someone and out in that area
18 in that time. Once there was poor identification but up
19 to that point they were rather abusive, the police were
20 rather abusive and the Army fellows, they were firm. I
21 should say that, but very businesslike.

22 EXAMINATION BY MR. McCURDY:

23 Q Does there seem to be a lessening of tension now?

24 A In Detroit I would say there is a different kind of
25 tension.

1 Q Than there was last summer?

2 A Than there was last summer. A different kind of tension
3 in that lines seem to have been drawn and each operating
4 within that boundary of decision such as between the police
5 and the black community. There are certain areas in the
6 City of Detroit that the police are providing some pro-
7 tection and in other areas the police are providing some
8 oppression and they are operating within that framework.
9 Centered in the Northwest area the police are providing
10 protection. The East Side and the heart of the ghetto the
11 police are providing oppression, however, that is not to
12 minimize the general attitude of poor black people,
13 attitude toward the Detroit Police Department which I
14 expect you are asking initially. I don't think there has
15 been any change. I think there is still that hostility
16 on both sides.

17 Q Do you think that was a major factor that contributed to
18 the conditions that caused the riot, this poor police-
19 community relations, I mean?

20 A I think that is one of the major factors. I would say
21 really one of the major factors, yes.

22 Q Do you think that Girardin, Superintendent of Police -- is
23 that his title?

24 A Commissioner.

25 Q But sensitive to the needs and desires and frustrations of

1 the people in the ghetto and their need for special
2 services and attention?

3 A I would say from a number of years working in the police-
4 community relations and several contacts with the
5 Commissioner, that he was as sensitive to the needs as
6 you could expect a white police commissioner to be. I
7 feel that there are those below him in command positions
8 who in many ways are not interested in implementing the
9 programs and kind of law enforcement in the black
10 community that he suggests.

11 EXAMINATION BY MR. JONES:

12 Q Was there a rather substantial so-called middle class
13 of Negroes in Detroit?

14 A Was there?

15 Q Or is there?

16 A I would say there still is.

17 Q Has this group played a leadership role in the community
18 and did it play such a role prior to the disorder?

19 A I think they played a leadership role but a negative
20 leadership role. The kind of role that helped them and
21 them alone. I think this contributed because poor people
22 were and still are systematically excluded from the good
23 life. However, the poor black people can see black people
24 become middle class and have the good things of life but
25 the poor people are excluded also.

1 Q What could the middle class black people do to more
2 assist and elevate their black brothers?

3 A I think they can contribute their knowledge, I think they
4 can contribute their time, experience. I think they can
5 contribute their money toward the development of poorer
6 black people. I think -- you can have physicians, this is
7 a small example, a physician that can offer medical care to
8 poor people. I think you can have attorneys that can offer
9 legal advice or they can help young Negroes by presenting
10 the image they can help them form values or aspirations.
11 They can tell them how to succeed.

12 Q You mean they have not been doing this?

13 A Not on any large scale, no. For example, the NAACP
14 started a Big Brother organization a few years ago. I
15 don't think it is even in existence now.

16 I think also you, people have to demonstrate
17 to people sincerity. I don't think you can have Negroes,
18 middle class, going into the ghetto with the attitude of
19 we are coming down here to cast pearls to the swine any
20 more than you can have white people from suburbia going
21 into the ghetto. The colonialism attitude, I think, that
22 has to change also.

23 Q Do these, I assume there were some few middle class Negroes
24 who perhaps have been involved in trying to improve the
25 community conditions, perhaps not in the numbers they

- 1 really should be. Would you agree with that?
- 2 A Mind you, I am not saying we are writing off the middle
3 class totally, because I have run into a number of people
4 I think are middle class and have given more to the
5 struggle for equality than perhaps I would.
- 6 Q Do you think the failure of the power structure to
7 respond to these people has tended to leave them open to
8 criticism or ridicule and perhaps rejection by those they
9 are attempting to speak for?
- 10 A In some cases I believe it is justifiable. This in other
11 cases I don't believe the rejection is well based. You
12 know a person does what they can do and what they are
13 capable of doing. Quite often others cannot see what a
14 person really does in the struggle. Consequently he is
15 condemned promptly because he is middle class. In reality
16 he is contributing more to the struggle than others who
17 can only see what they do.
- 18 EXAMINATION (Continuing) BY MR. McCURDY:
- 19 Q Do you think the mood of the Negro here in Detroit is such
20 that there could possibly or even probably be another riot
21 this year, not asking you to make any predictions, I'm
22 asking you to interpret the mood?
- 23 A Rather than interpret the mood, let me interpret the con-
24 ditions. I don't see anything really that has changed in
25 the life of the poor black people in the City of Detroit

1 any more now than was or has been in the last four or five
2 years. I think conditions are still the same. I told you
3 before about the selective law enforcement where black
4 people in the ghetto are still oppressed by the policeman.
5 I see where 10,000 jobs were allegedly secured for black
6 people, that every year 10,000 jobs are needed at change-
7 over in the factories and I see where the auto companies
8 are hiring allegedly 6,500 people. You have 2,000 people,
9 you really haven't hired 6,500 people. It is still the
10 kind of thing perpetrated by black people, by establish-
11 ment, as well as black people too. I don't see where
12 their mood or conditions have changed. Kids are still
13 getting out of high school with diplomas that are of no
14 value, still look at TV and hear about going to Bermuda
15 or the Azores. The poor black people see this too. They
16 know they are not included in this kind of good life. I
17 don't think conditions or mood have changed.

18 Q What do you think, if it were possible to do it, what do
19 you think should be done to alleviate the conditions?
20 What do you think is the major priority?

21 A I would go back to the police department as being one of
22 the major priorities. I would try to develop in the police
23 department the attitude of the cop on the beat, the
24 patrolman, as well as the sergeant, to treat each person
25 with respect and dignity as though each citizen were his

1 employer as he really is. I would start with this police
2 attitude and I would also induce some sort of sanctions
3 with the police department to make certain that these
4 men enforce the law vigorously and fairly. This would be
5 the first thing I would do. Mind you, I am not naive
6 enough to pull this out with this work alone. I think
7 there are any other institutions in our City that would be
8 affected if such was to happen to the police department
9 because you know, if you are going to do this with the
10 police department you have to work through the Mayor and
11 Police Commission. As you do that also you are working
12 with other pressure groups within the City that are saying
13 the police should be harder on black people, should really
14 go gung-ho on enforcing the law. I see other institutions,
15 if I were to pick out one single thing, this is the one
16 I would select.

17 EXAMINATION (Continuing) BY MR. JONES:

18 Q Do you think that as great as housing, police-community
19 relations and jobs these other areas are that complicating
20 all of these is a racist philosophy in this Country or in
21 this community?

22 A I think as I know it in my lifetime and as history indicates
23 that we have lived in a Country that has had as its main
24 driving force the racist philosophy. I think this has
25 been institutionalized. I see no black people brought up

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in this City that have been a part of a City whose basic philosophy is a racist philosophy of really white supremacy.

You see black people take this on because they are part of the culture, part of the very city that supports this kind of philosophy. I don't think there is any doubt. You know racism history has shown it as Mr. Bennett testified before the Commission some time before.

Q The reason I ask that question, you often run into this observation made by people while the Italian and Poles and Irish, all these groups have come through this cycle. They have all had oppression, housing discrimination, been in ghettos. They all lifted themselves by the bootstraps. They want to know why the black man can't do it. I wonder if, whether you thought this racist factor exists where blacks are concerned where it doesn't exist where other groups are concerned?

A I think very definitely you cannot compare the way any white American group has been integrated into the culture, integrated into the good life. You cannot compare that with the black people at all. I don't think there is any comparison. I don't see any groups that have been oppressed here in the United States into slavery that has come out of slavery and treated as equal citizens. I don't see any group whose family unity was destroyed in the very Country that says all men are created equal. I think if we wanted

1 to make a kind of analogy we look at the Jews and the con-
2 centration camps and see how many of them have been able
3 to survive the life of the concentration camp and then be
4 assimilated into a culture they are here. If there is a
5 comparison I would like to see that one.

6 EXAMINATION (Continuing): BY MR. BIRENBAUM:

7 Q Mr. Webb, you have testified that at the meeting held on
8 Sunday evening it was decided that maximum necessary force
9 would be employed in suppressing the riot, that at this
10 time became official policy toward the riot. Where there
11 any further efforts by the people in charge of managing
12 the riot, efforts to enlist representatives of the
13 community in efforts address to quelling the riot by
14 citizen action?

15 A Read that back.

16 (Whereupon the last question was read by
17 the Reporter.)

18 A Yes. I think this was done through activities assimilated
19 by community relations services representatives. However,
20 this was not done until Wednesday at which time most of
21 the riot had subsided, but overtures were made by CRS
22 representatives to bring members of Negro organizations
23 in a meeting rather to meet with Conrad Mallard of the
24 Mayor's Office. Beyond this I am not aware of any efforts
25 in that area.

1 Q I take it then these efforts were not successful efforts
2 in attempting to arrange such meeting?

3 A They were successful, they met with Mallard, but they didn't
4 bear any fruit. These were guys that had to come from
5 Washington, get out into the street to find these juveniles
6 and to bring them in to talk with someone from the Mayor's
7 Office. That's as to what they could do to what they
8 allegedly could do and couldn't do.

9 Q Was the City Administration -- did the City Administration --

10 A Are we still on the record?

11 Q Yes.

12 A Mallard met with the youths. I am not aware of the out-
13 come. I just don't know.

14 (Whereupon the Deposition was concluded.)

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STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Mignon Attard, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Wayne, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me on Thursday, January 11, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth; and that the said deposition is a true and correct transcript of the whole of the testimony so given by the said witness upon his oath.

I do further certify that I am not connected by blood or marriage with any of the parties, that I am not employed by either of them, nor interested, in this matter in controversy, directly or indirectly, in any way.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at Detroit, County of Wayne, State of Michigan, this 18th day of January 1968, A.D.

Mignon Attard

Mignon Attard
Notary Public, Wayne County, Michigan
My Commission expires November 14, 1971.

NACCD
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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

I-N-V-E-S-T-I-G-A-T-I-O-N

Re: Detroit, Michigan

The Deposition of ANNIE M. WATKINS, and
 GEORGE L. KELLEY, taken before Gerald Hanson, a Notary
 Public within and for the County of Wayne, State of
 Michigan, at 457 Federal Building, Detroit, on Tuesday,
 January 9, 1968, commencing about 2:20 o'clock in the
 afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. HERMAN WILSON

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Detroit, Michigan
Tuesday, January 9, 1968
About 2:20 o'clock, P.M.

- - -

ANNIE M. WATKINS and
GEORGE L. KELLEY, witnesses herein, after
having first been duly sworn by the Notary Public to tell
the truth, the whole truth, and nothing but the truth,
testified as follows:

- - -

MR. WILSON: Would you state your
name and home address, please, for the record?

MR. KELLEY: George L. Kelley.
4472 Chene Street.

MR. WILSON: And what is your
occupation, Mr. Kelley?

MR. KELLEY: Manager of a night club.

MR. WILSON: How long have you lived
at your present home address?

MR. KELLEY: Eight years.

MR. WILSON: Did you live in that
general neighborhood prior to that?

MR. KELLEY: For another six years.

MR. WILSON: Would you state your
name and home address for the record, Ma'am?

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MRS. WATKINS: Annie M. Watkins.
3630 Elmwood Street, Detroit 7.

MR. WILSON: Can you tell me how long
you have lived at that address?

MRS. WATKINS: Sixteen years.

MR. WILSON: Are you employed, Mrs.
Watkins?

MRS. WATKINS: Yes. I am a cosmetician.

MR. WILSON: What is your business
address?

MRS. WATKINS: 3316 St. Joseph.

MR. WILSON: Is either of you or both
of you familiar with an organization called the Positive
Neighborhood Action Committee?

MRS. WATKINS: Yes.

MR. KELLEY: Yes.

MR. WILSON: Could you tell me, Mrs.
Watkins, how long that organization has been in existence?

MRS. WATKINS: This organization has
been in existence since August of 1966.

MR. WILSON: And does it serve a
particular neighborhood?

MRS. WATKINS: Yes. We serve the
neighborhood -- we have our boundaries as Dequindre on the
West and Hamtramck border on the North, Mt. Elliott on the

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East and Charlevoix on the South.

MR. KELLEY: During the riot period, or the disorder period our boundary went to Theodore.

MRS. WATKINS: Yes.

MR. WILSON: On which date --

MRS. WATKINS (Interrupting): On the North.

MR. KELLEY: On the North.

MR. WILSON: On the North side. Can you tell me, Mr. Kelley -- well, let me ask you this, is either of you, or both of you members of this organization

MR. KELLEY: Yes.

MRS. WATKINS: Yes.

MR. WILSON: Can you tell me, Mr. Kelley, how the organization was organized?

MR. KELLEY: That's kind of a long story, but the way it was organized, I was in the community and there was a lot of -- some of the social, what was it, social aids, what do you call them?

MRS. WATKINS: Social workers.

MR. KELLEY: Social workers in the community, and I think at that time they was going to study, I think --

MRS. WATKINS (Interrupting): Doctor Sawyer (?).

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MR. KELLEY (Continuing): -- from, where was it, Wayne State?

MRS. WATKINS: Yes.

MR. KELLEY: And Doctor Sawyer was going to study, from Wayne State, and he sent them in the neighborhood to try to get some people interested in the things and organized and going.

He talked to some people in the neighborhood and I met them and they told me about some other people in the neighborhood that were as interested as I were in getting something going like that, that would be good to try to get something going, so at that time there was an organization called the Home Owners Association and they were fighting -- fighting me quite a bit about trying to get a license, keeping me from getting a license in the community.

So, after checking into this organization I found it was all white, well organized, that didn't allow no Negroes in the organization at all, they weren't welcome.

MR. WILSON: Was the license you were trying to get a license to operate a night club?

MR. KELLEY: Right, and when I found this out I got a couple of friends that was going to this meeting and, in fact, I went to the priests in the

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community and went to all of the people trying to find out why and what was the reason they didn't want me to have a license and one of these fellows came out and told me exactly why. What he said about me getting a license, he said he don't care how nice they thought it would be, he didn't care how nice it were going to be. They said they didn't want me to have it because I was a Negro, so they weren't interested in me having it at all.

So, this fellow come back and told me -- what he said, he said -- and then I called my lawyer and he happened to be one of the -- he is a politician, and he told me what the fellow said, and he asked if the fellow would swear to what he was saying and he said he would ask the priests in the community did he uphold such things that -- for the people to have meetings and say they don't want Negroes to belong or join and didn't want me to have a license because I was a Negro, and so he taken me to the priests and I asked the priest would he write a letter, could I come to the meeting. I wanted to be invited to the meeting so I could discuss what I was planning to do, how I was planning to do it and seek it out better in the community and work with the community in some respect.

So, he told me no, that he didn't think that they would want me. He didn't think it would be good for me to go into the meeting, but he would be glad

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to take a letter to the group. So, we formulated a letter to the group and after getting the letter they still said whatever plans there is we just didn't want them period.

Then I found -- after going down to these meetings that I finally got a hearing with the Common Council and I found there was another organization, that part of that organization was interweaved in the community organization which was -- what was it called?

MRS. WATKINS: It was the Sophie Wright.

MR. KELLEY: Sophie Wright, and these people here were mentioned up in the community and they had gotten all the people together against me in this -- in the block clubs and they really didn't know what they was against and who they was against and they didn't present it to them right, and I think they had a meeting scheduled and I talked to -- how did I get your number, Mrs. Watkins?

MRS. WATKINS: Do you want me to start from there?

MR. KELLEY: You say it from there.

MR. WILSON: Yes, please.

MRS. WATKINS: Well, when it come down to the Sophie Wright Council, I was a member of the Sophie Wright Council and at one meeting, well, the

1 Chairman presented to the meeting the fact that Mr. Kelley
2 was trying to get a license and they felt that there were
3 enough licenses in the community as there were. That is
4 the way they sold it, and there were, I think 17 at the
5 time, but to be sure there were no Negro-owned and
6 operated businesses of this sort, so therefore we had no
7 place, you know, for that type of recreation.

8 I called him and asked him -- and told
9 him that this element was also down in the Sophie Wright
10 Council. Well, after the Council, Sophie Wright is an
11 agency that is a United Foundations supported agency in the
12 community. Well, when the man in charge, the executive
13 director found that the council was doing this kind of
14 thing, then this council was disbanded because it couldn't
15 serve that purpose and be a part of this social agency.

16 So, I called Mr. Kelley and told him
17 that this element was in here and why not come out and see
18 what he could do about it, you know, such as meeting the
19 people and letting them know just how he felt, what kind
20 of place he was going to operate, and he did. And there
21 were many block clubs that had formerly been members of
22 the council, you know, that was our meeting place, and the
23 block clubs had lost their identity altogether in here,
24 so this -- as the Sophie Wright Council was disbanded, and
25 we still had a need for some kind of organization, then

1 after -- this was in April, so on down through the summer
2 until August, maybe, we talked back and forth, but then
3 in August Mr. Kelley and I and oh, maybe a dozen other
4 people met at the Sophie Wright Settlement and tried to
5 write something, some of the needs in the community for an
6 organization.

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8 It was just an organization at first,
9 we didn't have a name for it, but we had the block clubs
10 and some of the local ministers and some of the local
11 business people and the social worker there we decided that
12 we did have some problems, community-wise we thought would
13 be good to have one organization that we could go to and
14 kind of find out which problems, perhaps, were the most
15 pressing in the community and we did, and a little after
16 August, then was September, we had our formal meeting as
17 to the structure and what have you. So, Mr. Kelley was
18 one of the people that helped to find PNAC, along with
19 many other block club people and he is one of the business-
20 men in the community that lent great support. He has
21 allowed us to meet in his place and give us all kinds of
22 support, such as giving us office space in one of his other
23 buildings free, and I don't know, it's been kind of an
24 invaluable kind of thing to have business people, and
25 through him we have met other business people that really
have done a lot of helping with us to put together the

1 type of organization we have right now, being as young as
2 it is.

3 I don't know what else I could say
4 about it. There is a lot of general things I could say.

5 MR. WILSON: Tell me in what
6 activities did PNAC engage up to July of 1967?

7 MRS. WATKINS: Well, number one, the
8 first thing there were three, maybe four areas that we
9 identified, and maybe our most pressing one we thought was
10 juvenile delinquency and a lack of recreational facilities
11 in the community and poor sanitary conditions, you know,
12 services from the city and poor housing and also poor
13 education, so these areas we identified.

14 Right away we started to work with
15 parks and rec for better recreational facilities and we
16 had moderate success in that area. That is to say, we got
17 them to hire some community women to staff the playground
18 part-time during the summer of last summer, but before we
19 could get that we had to get together with the Board of
20 Education and get the use of the present schoolground
21 facilities and let parks and rec put additional supplies
22 out there and stuff and then they helped us in that respect,
23 so that was not a great step, but it was something a little
24 bit better.

25 Right now we are working on them to

1 getting a little bit further up on the list for the budget
 2 this year. I hope that we can really get something going
 3 and, of course, sanitation has been our big problem. We
 4 haven't done too much in that area, but in the educational
 5 field we have been instrumental in getting the Board of
 6 Education to replace a machine shop that had been at North-
 7 Eastern for many years and it was taken out to put in
 8 horticulture, but we didn't want horticulture, we wanted a
 9 little more meaningful program and we did get that and we
 10 did get electronics in.

11 We got the machine shop in and we are
 12 getting the electronics, and we were also successful for
 13 getting a school advisory board for the Northeastern High
 14 School, so that's in the educational field.

15 We are working right now toward having
 16 a principal removed from one of these schools and replaced
 17 -- we want a Negro principal over there, simply because we
 18 need that image in that particular school and aside from
 19 that we were interested in the housing. We had quite an
 20 absentee landlord problem and conditions were very poor,
 21 so we really didn't get too far in our advances, such as
 22 knowing how to go about it, but that's how we met William
 23 Walsh and Company. They introduced us to the Archdiocese
 24 who were proposing a lower income demonstration project in
 25 -- housing demonstration project in Michigan, so we decided

1 that it would be to our advantage to participate in it in
2 what is known as the Phoenix Project that was just okayed
3 to be built last Saturday, here in the city. We started
4 working on that project last March, so now in housing
5 that's how far we have come; and recreation and education,
6 we are working hard on sanitation, so that's -- those are
7 the areas we have covered so far.

8 Juvenile problems, we have a social
9 worker known as the gangworker who works with the Sophie
10 Wright Settlement. He also works with us, so we are able
11 to kind of know where the gangs are and we have somebody
12 working with them and that I think was one big advantage
13 during the riot, because we have two agencies. One is just
14 a little bit outside of our boundary, but they are merged
15 the Franklin Wright and the Sophie Wright are merged,
16 but they are both agencies, so they have services from both
17 and I think just the fact that most of the gangs are
18 associated with this social agency, and these social
19 workers have worked so beautifully with them until I think
20 out of sheer respect for this agency, being in the community
21 meant a lot to them.

22 MR. WILSON: Coming up to July 23rd,
23 1967, Mr. Kelley, when did you first find out that some-
24 thing was going on in Detroit?

25 MR. KELLEY: That Sunday, late that

1 Sunday afternoon.

2 MR. WILSON: And when did you, Mrs.
3 Watkins?

4 MRS. WATKINS: Well, I suppose the
5 middle of the day, Sunday. That's the first time -- that's
6 the first time to know it, but to feel the unrest of it,
7 well, that -- I could feel it for, say, maybe four or five
8 months.

9 MR. WILSON: Off the record.

10 (Whereupon a discussion was held off
11 the record.)

12 MR. WILSON: Mr. Kelley, can you tell
13 me what actions you took as an individual or as a member
14 of PNAC when you heard that the riot had broke out in
15 Detroit, or the disorder had started in Detroit?

16 MR. KELLEY: Well, I think -- I got
17 on the telephone. I think we started between, Mrs. Watkins
18 and several other people in the community, and asked them
19 had they heard anything about what was going on, and I think
20 we all was just about by that time pretty much aware of it
21 because of television, and so I went out and -- naturally
22 around in the community to see what was going on around
23 the community and what the conversation was about.

24 There was a few people milling around,
25 sitting up on the corners and whatnot talking about it,

1 and at that time nobody had any idea, I don't guess, that
2 it was going to spread as fast -- as rapidly as it did,
3 and I think during that night this got worse and so every-
4 body in the community, we talked to -- we were going up
5 and down the street trying to find out how come? Why?
6 And all you could hear were that the city was burning and
7 things they was doing, whatever the case were.

8 So, as I say, we talked to the people
9 in the community that night and all the people, everybody
10 didn't have no complaint in our community, everybody seemed
11 to be doing all right, so we went on until the next day and
12 it didn't get too much better the next day. It had started
13 spreading a little bit then, all in our community, all in
14 the West side and we did the same thing.

15 I went to the merchants across the
16 street, the fellows who run the business over there. He is
17 a white fellow, he was quite upset as we were because several
18 of his stores had got burnt down and I went down to another
19 business place which is right across there and talked with
20 him and he was very upset and I told him that I didn't see
21 no reason for him to be upset because it seemed to me that
22 he did everything that he could do and that's all that he
23 could do is sit tight and I didn't think that he would have
24 any problems. Consequently he didn't have any and the
25 fellow across the street, so by us having the little

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community thing, friendship going in the community, I think this helped quite a bit.

As the days rolled on I would see groups, or listen to people talking about it and I always tried to say in our community of what we was trying to do and I think for this reason a lot of things didn't take place in the community.

MR. WILSON: Were you during this period in fairly constant contact with the young people in the PNAC area?

MR. KELLEY: Yes, we were. Everytime I would see one or two or a group, I would stop and talk to them and find out what they could gain by doing certain things. We have found out there was a lot of looting going on, so I was telling them that all they could get was trouble and so on.

I imagine some of the other people in PNAC was doing the same thing, and this, I think -- by the kids in the neighborhood having some respect for all of these people, I think this restrained them quite a bit, the youngsters. Anything that happened, 90 per cent of it was outside of our community.

MR. WILSON: Well, were you engaged, Mrs. Watkins in pretty much the same sort of activity?

MRS. WATKINS: Pretty much the same.

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MR. WILSON: How many people of the PNAC membership would you estimate were actually on the streets talking to people, particularly youngsters who might have gotten involved in looting, burning and that sort of thing?

MRS. WATKINS: Well, now, when you say it that way, I would have to go back to my immediate street, you know, this way and that way. It just so happened that many of the parents that I talked to said they had talked to their kids, you know, whether they were youngsters or grown and some of them were, and asked them to -- not to really get involved, because I just feel that -- I don't know, maybe we have a real poor street, I don't know what it is, but that's kind of something that they kind of respect, their parents. You know, we have a few, naturally, that don't, but we kind of felt that way, that many, many of the mothers said to me I was real proud of my son, you know, he didn't go out and really get involved and all their girls or something of that sort, and so that's the kind of attitude they took.

And as an adult of my age, the most we did was -- actually was talk on the phone to each other because I didn't venture maybe more than two blocks from home, but we did have conversations on the telephone to various ones, you know. We had a real wide boundary and

1 many of them we talked with, said the same terms that,
2 you know, ask your kids to stay home and we felt that if
3 each home tried to do that that that would probably be the
4 best way possible.

5 MR. WILSON: Were there any buildings
6 at all burned in the PNAC area?

7 MRS. WATKINS: Well, there were only,
8 to my knowledge two buildings in the immediate area.
9 Now, there might have been others further up Chene, but
10 there were only -- Chene and our immediate area, there were
11 only two burned.

12 MR. KELLEY: And they were burned by
13 -- two white boys burned one of these homes.

14 MRS. WATKINS: Yes. I know that
15 Allen home, yes. So, I really don't know, you know, that
16 kind of thing. "I am going to pay you back," or something
17 like that, see.

18 MR. KELLEY: This happened, I think,
19 a couple of or three days after that thing had started.

20 MRS. WATKINS: Yes, just about over.
21 So, we were kind of amazed and I think many other people
22 were because right -- maybe a few days later I had a call
23 from the Governor's office and he wanted to know, you know,
24 they had come down and looked the city over and they found
25 that it was such little burning in there and they -- we

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had a call for that and I think he sent his secretary down, one of his secretaries, Mr. McKinley and we had a kind of a discussion, a community discussion at the Settlement House on some of these same things. Why it was not burned like many other areas.

MR. WILSON: What's the racial makeup of the PNAC neighborhood?

What percentage Negro, what percentage white?

MRS. WATKINS: I would think it's about what, 70-30? Would you think that or 40-60, something like that?

MR. KELLEY: About 40-60, I would say.

MRS. WATKINS: 60 per cent Negro.

MR. WILSON: Is this a neighborhood in which Negroes have lived for a long time?

MRS. WATKINS: At least 15 years.

MR. KELLEY: It's been steadily growing Negro for 15 years. There wasn't any contact, or any type of hatred or anything going on in our community during the riot. Everybody walked through freely, nobody had no -- naturally everybody was tense to a certain extent. It was just natural for you to be this way, but the people were going about their business and the people

1 come out to do their business and everybody was around
2 and no racial thing was in our community at all, and the
3 only thing, the people -- as I say, that I talked to who
4 were getting in these groups, were, what's going on,
5 everybody talking about it and kicking it around.

6 A lot of them was very displeased with
7 the Police Department as far as this brutality, police
8 brutality and I think this is one of the things that made
9 it kind of linger on.

10 MR. WILSON: Was this brutality within
11 the PNAC neighborhood or was it --

12 MR. KELLEY (Interrupting): Generally,
13 yes.

14 MRS. WATKINS: Generally.

15 MR WILSON: Do you know whether or not
16 many of the youngsters from the PNAC neighborhood were
17 arrested in other parts of the city?

18 Do you know anything about that?

19 MR. KELLEY: Not a lot.

20 MRS. WATKINS: No, I don't think the
21 percentage was a lot.

22 MR. KELLEY: I can't think of five in
23 the whole community.

24 MRS. WATKINS: Not any more than that,
25 it was not high.

1 MR. WILSON: (Off the record.)

2 (Whereupon a discussion was held off
3 the record.)

4 MR. WILSON: Mrs. Watkins, do you
5 think that the activities of PNAC created a kind of
6 neighborhood pride that accounts for the low level of
7 violence during the July disorder?

8 MRS. WATKINS: Yes, I do feel that.

9 MR. WILSON: Mr. Kelley, you have
10 talked about some of the activities of PNAC in this
11 neighborhood. Do you think a sense of hope, that the
12 people getting a sense of hope in that neighborhood, that
13 that had something to do with the low level of violence
14 during the week of disorder?

15 MR. KELLEY: Definitely so.

16 MR. WILSON: I have no further
17 questions, and I would like to thank both of you very
18 much for coming down.

19 (Whereupon a discussion was held off
20 the record.)

21 MR. WILSON: Go ahead.

22 MR. KELLEY: One thing that I might
23 say that could help a whole lot is that all of the -- if
24 the Police Departments could help -- this could help
25 themselves a whole lot with their relationships to the

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communities all over, because all police is not bad and I think we all recognize and know this, but what they will allow, they will allow some of their fellow policemen to use brutality, or misuse the powers and if they recognize and realize that that was going against the better police, then the police themselves would kind of check up on the fellows with them.

A lot of cases it would be three or -- two or three police together in a car and one of these would get a reputation of a big bad fellow, if they would watch that, the fellow policemen would watch him and the policeman approach a fellow man-to-man, he would respect him more, but when he has got his fellows behind him and he is going on, it's like a wild western.

Now, if the Police Department checked these people out and we would say, "Look, we don't want no bad influence, we don't want no bad image, we don't want to be riding in a car with people that have got the people to hate the police already, got the hatred in them," and this might make people want to take it out through the Police Department, which makes it bad for them. That is one of the things I would like to say.

(Whereupon the depositions were concluded.)

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STATE OF MICHIGAN)
) SS:
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Gerald Hanson, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Wayne, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me on Tuesday, January 9, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth; and that the said deposition is a true and correct transcript of the whole of the testimony so given by the said witness upon their oath.

I do further certify that I am not connected by blood or marriage with any of the parties, or that I am not employed by either of them, nor interested, directly or indirectly, in the matter in controversy, in any way.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at Detroit, County of Wayne, State of Michigan, this 18th day of January, 1968, A. D.

Gerald Hanson

Gerald Hanson,
Notary Public, Wayne County, Michigan.
My Commission expires November 12, 1968.

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MWB/lc

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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

I-N-V-E-S-T-I-G-A-T-I-O-N

Re: Detroit, Michigan

The Deposition of REPRESENTATIVE JAMES DEL RIO, taken before Matthew W. Betz, a Notary Public within and for the County of Wayne, State of Michigan, at 457 Federal Building, Detroit, Michigan, on Tuesday, January 9, 1968, commencing about 3:45 o'clock in the afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. DAVID BIRENBAUM

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Detroit, Michigan
Tuesday, January 9, 1968
About 3:45 o'clock, P. M.

- - -

JAMES DEL RIO, was
thereupon called as a witness herein, and after having
first been duly sworn by the Notary Public to tell the
truth, the whole truth, and nothing but the truth,
testified as follows:

- - -

EXAMINATION BY MR. DAVID BIRENBAUM:

- Q Would you please state your name and give us your address?
- A DelRio, James DelRio, 991 West Grand Boulevard.
- Q What is your present occupation, Mr. DelRio?
- A Member of the State Legislature.
- Q What District do you represent?
- A 24th District.
- Q What are the geographical boundaries of the 24th District?
- A They run from, approximately, Thirtieth Street on the west to Trumbull on the east, which includes, of course, Twelfth Street and other areas, and then to the Expressway, the John C. Lodge Expressway on the north and the River on the south.
- Q Was the 24th District affected by the riot which occurred in Detroit last summer?

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A Yes, it was probably the second hardest hit area in the Detroit area.

Q And were you in the riot area during the course of the riot?

A Yes, I was.

Q Over what period of time?

A From, I'd say, 3:30 Sunday afternoon until the entire riot was over.

Q I see, and did you have occasion on Sunday afternoon to observe the crowd and activities and their demeanor?

A Yes, I did.

Q Approximately how many people that afternoon were out on the streets?

A Well, there were numbers of people, literally hundreds of people up and down Grand River Avenue, and they were just milling around in the streets, walking up and down the streets, walking in the middle of the streets and generally talking about the so-called problem that existed.

Q Were they then engaged in looting?

A Later on that day they became more engaged in the breaking of windows and looting.

Q This was later on Sunday afternoon?

A Yes.

Q And what was their attitude? How would you characterize the disposition of the people at that time?

A Well, I would characterize the disposition of the people

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as -- the great majority of the residents in the area simply stood on the streets with shock and amazement, they didn't really understand thoroughly what was going on, and it was more like a circus coming down the street, and they were out there to see what was happening and what was going on.

Q Could you observe the attitude and demeanor of the people who were actually engaged in the looting?

A Yes, they were moving very quickly, they were not -- they were not stationary. You would see automobiles going at very high rates of speed, for the most part convertible cars moving up and down the streets at very high rates of speed, and you would see young people, particularly with rags around their heads and that sort of thing, and I saw many, many people whom I had never seen in my life, you know, in that area. As a matter of fact I would say the majority, the great majority of the rioters I had never seen, and I have lived here all my life.

Q Would you say that they were more at that point angry or carefree?

A Well, I would say at that point -- I don't know how to describe this, whether it would be angry or carefree. I know this, I remember that afternoon a white couple -- there was a fire down at the corner of Grand River and West Grand Boulevard, a large furniture store or something

1 was on fire, there was some fire down in that area, and I
2 remember the white couple driving up to the corner at
3 Columbus and Grand River and parking and getting out to go
4 down and see the fire, and nobody said anything to them,
5 and nobody bothered them, but two or three of us who lived
6 in the area or either had offices in the area went over to
7 them and told them, well, this is a civil disturbance
8 bordering on riot and I think it would be better for you if
9 you, you know, get out of the area, and so the old gentle-
10 man and the lady and her sister, I think, said, "Well, we
11 just wanted to take some pictures of", you know, "the
12 burning building", and we cautioned them and told them we
13 thought it would be better for them to get out of the area,
14 and put them in the automobile and sent them down Oregon
15 Street, I think, and they did, I understand, get out
16 because they called me or wrote me a letter or something
17 about three or four weeks later and thanked me.

18 Q Now where were you located at this point?

19 A Where I have an office, sort of a legislative office at
20 8000 Grand River, on the corner of Columbus.

21 Q And were you actually in your office or were you on the
22 street?

23 A I was on the street.

24 Q And from your position on the street could you observe the
25 police?

1 A Oh, yes, we could observe the police, but at that time the
2 police were not in any force at all, that is to say you
3 could see police cars one every ten minutes or one every
4 fifteen minutes and they were usually going at a high rate
5 of speed down Grand River, but they were not stopping to
6 bother anybody, you know, or to say anything to anybody,
7 and I was always standing right in front of that building,
8 that I had in mind, of course, protecting.

9 Q So that the police were not at that point interfering
10 with the rioters?

11 A No, they were not interfering. As a matter of fact they
12 rather took an attitude of ignoring them more than anything
13 else.

14 Q Do you think that that attitude which you characterize as
15 one of ignoring the people who were engaged in the riot
16 communicated itself to the crowd?

17 A Well, I think it communicated itself to the crowd. It
18 certainly communicated itself to me, and further, I believe
19 that there was stark fear on the faces of the policemen,
20 those few who did, who were driving slowly and came by and
21 cruised by slowly, there was stark fear on their faces as
22 though as if they did attempt to get out and do anything
23 they would simply be strung up like so much Polish sausage.

24 Q Representative DelRio, did you have occasion to observe
25 the activities of the police at the various roadblocks

1 that had been set-up in the area?

2 A Yes. There were two roadblocks that I did observe, and
3 at those roadblocks they were not -- there was not any
4 tight security there. I mean, people were going in and out
5 of the roadblocks, they were asking some people questions,
6 but again they seemed to have that plain stark fear on their
7 faces of not getting too deeply involved for fear of life
8 and limb.

9 Q Did you talk to any of the police at that time?

10 A No. I talked to the police later on when they began,
11 later on in the evening when they began to attempt to direct
12 traffic around the area, and some of them were wearing the
13 white helmets and I went over and stood by some of them
14 because once in a while you would hear a rifle crack or
15 something like that and so I went over and stood by them
16 because everybody in the area who lived in houses or
17 buildings I knew, and they knew me and so we stood and we
18 talked and that sort of thing.

19 Q Do you know from your conversations with these police
20 officers, do you know whether they were under any orders
21 with respect to their own behavior?

22 A Well, I have heard it mentioned at several places, for
23 example, I heard Mayor Cavanagh say in one of the meetings
24 that we attended later downtown that he had given orders
25 for them not to fire upon civilians.

1 Channel 2 taped part of his remarks
2 and, of course, they have been hunting desperately for
3 the tape to try and replay it back, and I think a Mr.
4 Larry Carino over there can attest to this because he, of
5 course, heard the same remarks and there was definitely,
6 in the many conversations we had about various things
7 in rooms that were official and unofficial down at Police
8 Headquarters, there was definitely orders in the community
9 not to shoot and not to attack the people who had been
10 involved in the riot.

11 I also heard, incidentally, from some
12 of the people who had been involved in the original fracas
13 in some house or after hours joint that some of them had
14 said, "We got sick and tired of paying off the police and
15 we just told them to go to hell and we meant it."

16 Q Now, you remained in the area that Sunday?

17 A Yes, I remained there Sunday afternoon, Sunday evening and
18 all of Sunday night. I stayed up with the neighbors,
19 because many of the neighbors in the area stood there by
20 the building with me, and during the course of Sunday
21 night there were approximately 20, between 24 and 26 waves
22 of young people who came along who threatened to, you know,
23 break in the windows and loot the building and burn it.

24 Q This was the building you were standing in front of?

25 A Yes.

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Q Were you effective in restraining them from doing this?

A Well, between the Bible and a chain I was fairly effective, and the neighbors stood with me too, and only once did they desert me and that was when the young man said, you know, "I don't really care who you are, I'm going to take care of this building", and then I warned him in connection with looting the building and that if he did come out I would simply take more harsh measures.

Q You say between the Bible and a chain, what exactly do you mean?

A Well, I sat on a chair in front of the building and when the groups came to tear up the building and tear out the windows, loot it and burn it, I simply stopped them. If I saw them raise their hand with a brick or say we are going to get into that one or who owns this, usually they would say, "Who owns this", and I would stand up and say, "I do", you know, and then they would say, "Well, does whitey own the business in there", and I would say, "Yes, he does," and then we would go into a dialogue, you know, and then I would give them a chance and say, "Well, you know, you are not going to burn down the building because we are either going to kneel in prayer together or you can taste this chain, but I am going to defend this property", and then I think the most surprising thing happened early Sunday evening when one -- well, two young people, one nine,

1 approximately nine years old and one ten years old, picked
2 up a brick and came over to throw it through the window,
3 and I ran over and stopped him and he said, "What is the
4 matter", and I said, "Well, that building belongs to me",
5 and he said, "Well, I'm glad you told me, Baby, because I
6 was just about to bust you in".

7
8 Now, he couldn't have been over ten
9 years old.

10 Q Now, during the course of your presence in the riot area,
11 could you discern any change in the attitude of the
12 activities of the crowd?

13 A No. I discerned this though, and that is later on toward
14 six, seven o'clock in the evening --

15 Q (Interposing): This was Sunday evening?

16 A Sunday evening, I began to notice a pattern in the burning
17 of buildings.

18 You would first see somebody on foot
19 breaking in both the windows, and by that time as I
20 indicated to you, we had the gun to write "colored" and
21 "soul brother", and so forth with spray paint over our
22 windows, and I went to two or three of the white neighbors
23 that I had and wrote, you know, something on their
24 windows because they were right in the area and if you did
25 it just on the basis of self-preservation, you would save
your own building and the homes in the block as well, but

1 I began to notice this pattern.

2 The people who were breaking the
3 windows would come in and break the windows, and then they
4 would go away for five or ten minutes and then the convert-
5 ibles would pull up in front of the buildings and four or
6 five people from two convertibles or three convertibles
7 would go in the building and just start bringing things
8 out and just piling them in the convertibles, and the
9 convertibles would take off very, very fast, and go -- I
10 mean, really at high rates of speed, and they would go and
11 come back, and they would loot again, and go and come back
12 and they'd do this two or three times.

13 Q Were there large numbers of people on the street at that
14 time?

15 A Oh, yes, everybody was standing there looking, and then
16 the majority of the citizens would do nothing, and then
17 after they had gone two or three times in the buildings,
18 then you would again see some of the, you know, local
19 citizens begin to go into see, and as though they were
20 going in to see what was there, and you began to see them
21 come out, you know, with things and then usually about an
22 hour to -- yes, just about an hour after they broke the
23 windows in then somebody, they would go in, you would see
24 smoke coming up out of the back of the building, usually
25 it didn't start in the front, it was usually in the back,

1 and you'd see the smoke come out and then you would, you
2 know, you would call the Fire Department and they said,
3 "We have so many now, we will get to that when we can",
4 or something to that effect, but then you began to see in
5 about 30 or 40 minutes the fire, the smoke and flames, you
6 know, going up.

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8 Q Did this pattern that you describe repeat itself throughout
9 the course of the riot?

10 A Throughout the course of the riot, particularly the first
11 two days of the riot, and that was the pattern that I
12 noticed, and most of the people who were breaking the
13 windows and roaming in the groups that I spoke about I
14 had never seen before in that neighborhood, and I have
15 been there all my life.

16 Q Were you present when the firetrucks came in the area to
17 distinguish the fires?

18 A Oh, yes, yes. For example, the building directly across
19 the street from the Columbus Building, the one on the
20 corner of Columbus and Grand River, I have just described
21 to you the very pattern that took place in that building,
22 and then later on, about two hours later after the building
23 had halfway burned down really and the people with
24 businesses in the adjoining building had already come in
25 and gotten much of their vacuum cleaner materials and so
forth out of the building, then the firetrucks came but

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by that time it was dark and flames were quite high up in the sky, and the cinders and so forth were landing on the roofs all up and down the block, and we all went in, at the instruction of the men of the Fire Department, we went in and got our private hoses and attached them to the water spickets on the side of the houses and buildings and began to try to put the water on the roofs and that saved many of the buildings up and down the block.

Q What was the response of the crowd, either at that time or later on to the fire equipment?

A Everyone tried to help the firemen. I didn't see any instances where they didn't try to help the firemen.

However, I did witness some shots that we heard and so I went over together with three or four of the residents and we stood by the firemen, you know, who were there trying to put out the fire, the fellows who had to stand by the trucks and whatnot, we went over and stood by them, and then we didn't hear any more shots or anything else, so as long as they were in our neighborhood we stood by them.

Q So in your area there were no occasions of bottle-throwing and brick-tossings at the firemen?

A No, no, not on the corner of Columbus and Grand River. Of course, I know that there were cases on Twelfth Street and other areas where they smashed out, you know, the firetrucks,

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and windows and threw bottles and that sort of thing, but this did not occur over on Grand River and Columbus.

Q We understand that a task force of community workers had been sent into the area to quell the disturbance and attempt to persuade people they ought to go home. Were these workers in your area?

A Well, I don't know of any such workers. I know a few of we politicians who tried to do that.

Q That was later, wasn't it?

A That was later. At the height of the riot, you know, Sunday night and Monday, that sort of thing, there was no such thing that I knew of.

Q I see. Did there come a time, Representative DelRio, when you yourself were arrested?

A Yes.

Q Would you describe it?

A It was either Monday or Tuesday morning. I believe it was Tuesday morning. I was called by Julian Witherspoon, he is President of the Inner-City Voters League to attend a meeting of community leaders and elected officials over at some school which was one block east of Twelfth Street on Woodrow Wilson, and buildings had been burned out and streets cordoned off, so the only way you could get there was to go down Dexter Avenue, up the Boulevard and down Twelfth Street.

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Now, to get to this building, that was the method by which you had to go, so I did, and I came down Twelfth Street and about two blocks before the street on which I had to turn to get over to the school, I had noticed a colored man, very thin colored man walking along the street with a lunch pail, as I had to do many years ago, and he was walking along the street, wasn't bothering anybody, and I continued and the traffic was very slow, and about a half a block, maybe a quarter of a block from the street where I really had to turn to get to the school area, I saw three, between three and four policemen standing around two people and near a supermarket, and there must have been, I don't know, eight or ten or fifteen policemen there, and eight or ten cars and a couple of paddywagons, and these two policemen were there with two colored people, and one I learned later, I found out, was the husband of the lady, and they were standing about two feet apart, and one policeman had a shotgun that you hunt pheasants with, that type that you hunt pheasants with, and he was jabbing her in the belly with this shotgun, and the other one was slamming the man across the back with the gun, and they were directing them to do something.

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Well, there were eight or ten people standing there, and I was literally parked because you couldn't move until they moved the cars, and they knew, of

1 course, I was a public official and that I was witnessing
2 brutality, and so I got out and identified myself to the
3 officers and I asked them their names and they told me they
4 were not allowed to give me their names and I asked them
5 their badge numbers because they had no badges on and they
6 said they didn't wear badges during riots, and I asked them,
7 "Well, what do you want these people to do", and they told
8 me, "I want this woman to", and they used other language,
9 of course, "to pick-up this bread", and whatnot, "which
10 she stole and dropped and I saw her drop it, I want her to
11 pick it up and get in the wagon", and they indicated they
12 wanted the man to do the same thing. So, I told them, I
13 said, "Well, if you just stop slamming her in the belly,
14 you know, with that shotgun maybe she can," and I turned
15 to her and told her, "This man is going to kill you if you
16 don't pick-up this", you know, "these groceries and get
17 in that paddywagon and this is what I think you ought to
18 do", and she heard the complete conversation between myself
19 and the officer and she picked it up and she got in the
20 wagon. Her husband got in the wagon too, and they were
21 between 50 and 60 years of age, both persons, so about that
22 time this very small colored fellow that I had seen walking
23 down the street came by and one of the policemen who was
24 standing there with the shotgun wheeled and slammed him
25 in the back, across the back with the gun and said, "All

1 right, nigger, you get in", and so the man burst into
2 tears immediately and said, "I wasn't doing nothing, I
3 wasn't doing nothing, I wasn't doing nothing", and I turned
4 to the officer and told him that I had seen, I had seen
5 him walking down the street, and I told the man to open
6 his lunch pail, open his pail and show the officer what was
7 in there, and he did and in there there was an orange and
8 a couple of sandwiches, and the officer saw it and so he
9 told him then, "Nigger, go on", like that, and the man
10 almost took off like a jet, and then the Sergeant came
11 over. I don't know, he must have been five or ten or
12 fifteen feet away from us, he came over and said, "All
13 right, nigger, you take his place", and so I turned to
14 see, you know, was he talking to me. I was the only
15 colored man around close enough to him to address, and so
16 he said, "I mean you, nigger, take his place", so at that
17 point he put a 30-30 rifle between my eyes, my chest first
18 and then in my eyes, between my eyes and said, "I told you,
19 nigger, to get in", so I turned and I got in the paddy-
20 wagon. His officers, the officers around him began to
21 explain to him how I just helped them get, you know, who
22 I was and I just helped them get this woman and man in the
23 paddywagon, and he said, "I heard him on the radio last
24 night and he is with them", I remember because I wrote the
25 statement down, I just recall it.

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Q What statement?

A The statement that he made at that time.

Q I see.

A (Continuing): You know, I was just reviewing my notes here.

Q I see.

A (Continuing): And so then I asked him for his name and he refused to give me his name, and I asked him for his badge number and he refused to give me that. I asked him for a pencil and he refused me the pencil, and when we stopped, that is, when the paddywagon stopped about four blocks up on the corner of Twelfth, Twelfth Street and Clairmont, he literally ran around in the street talking to State Troopers saying, "I got DelRio in there, I got DelRio in there", you know, and he was just -- he was almost like a child, you know, just happy and gleefully bragging about the fact that he had DelRio in the paddywagon.

We were taken to the Tenth Police Precinct station and we were stood outside of the station, inside of a wall, but outside of the station for approximately for 10 or 15 minutes and told to put our hands against the wall, and so forth, and then we were marched inside and there we sat down and they began to draft the charges against us, and I think I brought a copy of those charges. They were charging people with all kinds of things that

1 day, and I was charged with interfering with police
2 officers, inciting to riot and anarchy, those were the
3 three charges, so I guess the Prosecuting Attorneys'
4 office could make their choice of any of the charges,
5 and he put down the names of three or four officers who
6 had nothing to do with this, weren't even there, only one
7 of them was there with him, and the rest of them he just
8 put their names down because they happened to be under
9 him.

10 Q How do you know that?

11 A Because they weren't there. I saw them later on, you know,
12 by face and name and they were not there, and they were
13 around the corner but they weren't standing there with him,
14 you see, and so I was denied the use of a telephone for
15 making a call to my attorney or to anyone else as a matter
16 of fact.

17 Q Of whom did you make that request?

18 A I made it of the sergeant. I made it as a matter of fact
19 to every police officer I came in contact with, which was
20 four or five in the station. I made it to them and they
21 all refused and I was put into a garage that had grease
22 on the floor and people had been there for, I guess, since
23 the beginning of the riot.

24 Q Which would have been since Sunday?

25 A Since Sunday, and had not been allowed the use of a

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telephone or toilet facilities or anything else, and there was this greasy floor and we were all just thrown into this greasy floor and there you stayed.

Q How long were you there?

A I was there for approximately three hours.

Q And do you remember when you first entered the garage and then what time you left?

A Yes. I believe it states here (indicating). I am not sure, I know I went over there about nine o'clock on Twelfth Street, 8:30, something like that. Yes, they have the time here as Nine A. M., and that would be between nine and 9:30 that I went in the garage, and I was released about 11:30 or twelve o'clock.

Q When you were present in the garage did you talk to some of the prisoners?

A Oh, yes, I talked to many of the prisoners.

Q And what were their, some of their complaints?

A Well, basically their complaints for the most part was, one, they had been denied any opportunity to get in touch with any member of their family and/or a lawyer, that was the principal complaint, and the second principal complaint was that many of them said, "Yes, I am guilty", you know, and I would do it all over again, but I'd say 30 to 35 per cent of the people who talked to me and came over to me said, "I was walking along", or, "I was on my way to

1 work and I was just herded into a car or a paddywagon and
2 brought down here and I wasn't doing anything to anybody",
3 and incidentally, later on we found out in terms of
4 statistics that there were 50 per cent or 55 per cent of
5 the people who were arrested during the Detroit riot had
6 never had previous contact with the police, and so I was
7 reasonably sure then that many of the stories that I had
8 heard were true, and I witnessed the situation with the
9 man with the lunchbox.

10 Q Do you know whether the prisoners were being adequately
11 fed?

12 A They weren't fed at all. Nobody had had any food, nobody
13 had any water. No one had been allowed to call an
14 attorney or his family.

15 Q Were there any toilet facilities for them?

16 A They didn't have any toilet facilities and the men and
17 the women were altogether.

18 Q Children as well?

19 A There were no children.

20 Q What was the average age of the people who were incarcerated
21 in that garage?

22 A I'd say between 20 and 40 years of age.

23 Q Now, what were the circumstances surrounding your release
24 from the Tenth Precinct jail?

25 A Well, Julian Witherspoon and Doctor James Brocie from Wayne

1 State University came over to the police station and said
2 that they had heard over the news wire services or some-
3 thing that I had been incarcerated there and that the
4 Mayor and Governor had heard about it and that they were
5 very, very disturbed about it, and that some calls had
6 been made down to the meeting where I was supposed to
7 attend and everyone was wondering why I wasn't there, and
8 that the people in the neighborhood, in my district had
9 heard about it and they were getting ready to take some
10 action in connection with the matter, and so they came over
11 to see the Lieutenant and made the decision to release me
12 on my own bond, and that was after, however, I had been
13 taken before a Prosecutor, and the Prosecutor asked me
14 whether or not I wished to make -- he didn't really ask me
15 whether I wished to make any statement, he did everything
16 in his power to make me make a statement, I told him that
17 I had no statement to make whatsoever, and I rather posed
18 the question to him, "Did he realize that I had not --
19 I had been denied my Constitutional Rights in terms of
20 contacting either a member of my family or counsel, and
21 that the only statement I wished to make I'd make on a
22 witness stand", and so then I was taken from him and put
23 back in the garage, and then Witherspoon came over and they
24 talked to the Police Lieutenant who was in charge of the
25 station at that time and, incidentally, he was not the

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regular Lieutenant who was in charge of the Tenth Precinct, he was from some other precinct. I don't remember his name, but I do have it in my files.

Q Why was it that the regular precinct commander was absent during this period?

A I don't know what the problem was. Anyhow, I was released and about a half an hour later I was sitting with Secretary Vance, the Mayor, Commissioner Girardin, the Governor, Congressman Conyers, Diggs, Damon Keith, Julian Witherspoon and myself and L. C. Gillian and I can't remember who else. We were there to help make some decisions as to whether or not the troops should be moved from Selfridge Field and brought into the center city, and it was the concensus of opinion that they should be.

Q Now, going back to the time of your arrest, you testified that you requested the arresting officer to identify himself and that he refused?

A Yes, Sergeant Kohler.

Q And that he was not wearing any badge or displaying any name tag. Was this common practice among the police during this riot?

A Yes, during this riot they were instructed by someone in the Police Department not to wear badges, but they were, I further found out, they were instructed to give you their names, but I talked with three policemen and they would not

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give me their names and they said the reason they would not was because Sergeant Kohler had instructed them not to give their names.

When I got in the station I tried the same thing to ask them who they were and they would not tell me.

Q In the station itself?

A In the station itself.

Q Were they wearing badges or any other marks of identification at the station?

A In the station they were not either.

Q I see, and did you notice whether or not the license plates on the police vehicles were taped over or were they not?

A No, I didn't notice anything of this nature.

Q Now, did you have occasion to go back to the Tenth Precinct following your release?

A Yes, around two days later I returned to the Tenth Precinct after spending two days with -- on the average of -- I guess, three or three and a half hours to four hours a day with the Mayor and the Governor and the Police Commissioner, and others who had been completely disregarded, all of those persons whom they thought were leaders in the community, because by now these people were frightened and so they were taking planes and busses out of the city, because --

Q (Interposing): You mean the Negro leaders?

1
2 A Yes, they had been sort of earmarked as window-show, you
3 know, colored people or Uncle Toms or whatever expression
4 you want to use, whatever one cares to use, and they were
5 of absolutely -- they were just absolutely no value in the
6 community at all. It was the more outspoken militant
7 elected officials, you know, who at least could communicate,
8 whom the lines of communication were at least open with
9 the people out there in the streets, whom they sought the
10 counsel and advice of at that time, and so, therefore, we
11 spent everyday three or four hours a day downtown with the
12 men that I mentioned, the elected officials that I mentioned,
13 and then the idea was offered by Conyers that we ought to,
14 in an attempt to stop some of the sniper fire and so forth
15 that we ought to go out into the neighborhoods in cars
16 with police cars in front of us and in back of us and go
17 to certain pockets where there was trouble and attempt to
18 quiet things down, so we went to the Tenth Police Precinct
19 station, Representative Conyers, myself and an Ebony
20 magazine photographer and reporter, and Congressman
21 Conyers and I and one other person, I don't remember who
22 it was.

23 Q This was on Tuesday?

24 A I think this was on either Tuesday or Wednesday, it was
25 either Tuesday or Wednesday, if I recall. We went there
and we were told that we had to wait because there weren't

1 any cars to accompany us out into the community, and so that
2 is how we came to stand around and be around, you know,
3 the Tenth Police Precinct, and then more than ever did I
4 notice that everybody, nobody had a badge on, there was no
5 identification of any kind in connection with any officer,
6 and you could even walk up and ask one his name and he
7 wouldn't tell you his name.

8 Q Was this practice of refusing to reveal ones identification
9 and of not wearing badges or other marks which would tend
10 to identify police officers carried on by desk officers and
11 in the station as well as patrolman?

12 A Yes. It was extended not only to desk officers but everyone
13 in the police station of, you know, with any police
14 authority that was a member of the Police Department, and
15 for awhile even when the soldiers came in the same thing
16 occurred, they had flaps over their names.

17 Q This is the National Guard?

18 A The National Guard, yes.

19 Q Did you have occasion when you were waiting for the police
20 to make cars available to you to observe the way in which
21 some of the prisoners were treated by the police officers?

22 A Yes. The day that I was arrested and incarcerated in the
23 Tenth Precinct, there was absolutely no brutality of any
24 kind. The first sign of brutality that I experienced or
25 saw during the riot was on that Tuesday morning that I was

1 going over to the school, and as a matter of fact I was
2 so set back by it because I said, you know, up until now
3 at least one thing when this thing is over with we will not
4 have sown the seed for any future, for any future confronta-
5 tions because that has not taken place.

6 I later, of course, came to understand
7 that it was really pure -- not only instructions, but in
8 the first part of the riot just pure fear on the part of
9 the officers that prevented them, you know, in those
10 instances from not involving themselves in brutality, but
11 as we began to get control of the riot and control of the
12 people, then the brutality began to evidence itself in
13 greater proportions. You know, you could see it almost
14 everywhere, and in the Tenth Precinct they began to bring
15 people in, whether they were young or old, you would see
16 them with their hands handcuffed behind their backs like
17 this (indicating), you know, handcuffed and see the man
18 holding the handcuff, the other end of the handcuff, you
19 know, or either holding -- what do you call it, the chain
20 or something between the handcuff and just secking him
21 either with his fist or with a nightstick or one of those
22 -- I don't know, it looked black or something to me, and
23 it looked like a piece of rubber.

24 Q Hose?

25 A A piece of leather or something, I don't know what it was,

1 and just hitting him, you know, all in the back of the
2 head and on the side of the face, and that sort of thing,
3 and they were doing this as they were bringing, you know,
4 the people in, and then they began, before when I was first
5 arrested, for example, both doors where they were taking
6 prisoners in to interview them, and that sort of thing,
7 both doors were open, and now they were closed tightly
8 so that, you know, when you went in there everybody made
9 sure that the door was closed real tight, you know, so
10 that no one could see, but we saw people in there go in
11 these doors who had on a shirt or sweater and things like
12 that and who were not bleeding and who were not beaten up
13 and when they came out, you know, five or ten minutes later,
14 they were just all beaten and blood was running all over,
15 and they were crying and hollering, so I mean, you know,
16 we just stood there and we saw that with our own eyes,
17 and you just couldn't, you know, you couldn't refute it
18 because you saw it with your own eyes.

19 Q Did the police eventually make police cars available to
20 assist you in the effort to enter the area in attempt to
21 persuade the people to return to their homes?

22 A No. One officer came in and said that he had one car,
23 but we needed to have two cars, as I understand it, one to
24 go in the front of us and one to go in back of us, and we
25 were all going to be in the Congressman's car, and he

1 couldn't wait, he said for the other car to come in, and
2 so eventually after about three hours of waiting inside the
3 station we gave up and we were given an escort out of the
4 police station -- well, out of the police station to our
5 cars, because by then the curfew, we were in violation of
6 the curfew, and so began to try and get down Livernois,
7 down Grand River and we all tried to stay together and we
8 asked them for a car to go with us but they said they
9 didn't have an extra car to go with us, they couldn't even
10 give us the one that was going to take us into the area,
11 so we had to make it back the best way we could, and I
12 understand that, you know, we did, everybody got home or
13 either to their office safely. I got back to the building
14 and went up in the building and stayed there.

15
16 Q Just returning for a moment to the beatings which you had
17 occasion to observe, do you have any idea how many people
18 were subjected to this treatment while you were there?

19 A In the police station?

20 Q Yes?

21 A Well, I'd say that we saw -- well, rather than "we", I
22 would rather say that I saw somewhere between ten and
23 fifteen, between ten and twenty cases of this sort of
24 thing happen while I was there that I can speak for because
25 I saw it myself. Now, I'd rather say "I", at least the
40 hours I have in law school has trained me, you know, to

1 say "I saw" or to identify as something I can say that I
2 know to be the truth.

3 Q Was there any evidence that these people who were exposed
4 to this kind of treatment were --

5 A (Interposing): Fighting back?

6 Q Were attempting to resist arrest in any way?

7 A No, they -- when they brought them into the station they
8 were completely under control. I didn't see one person
9 fighting with them, not one. In the first place, there
10 were usually three officers to every person, you know, and
11 there was just -- he was just totally helpless. I didn't
12 even see anybody dragging his feet, and I only saw one
13 fellow who really looked, you know, of the bald head
14 belligerent type, you know, like you know, "You play with
15 me and I will put you in the graveyard", and the rest of
16 the people brought in were, you know, were not of that cut
17 that you would feel that this would be, you know, a real
18 dangerous man. They might have been far more dangerous
19 than somebody who looks dangerous, but they were completely
20 helpless and completely subdued and usually they were hand-
21 cuffed with their hands behind their backs, you know, their
22 hands were handcuffed behind their backs.

23 Q Just going back to your testimony regarding your own incar-
24 ceration in the police garage, to your knowledge had any of
25 the people with whom you spoke, fellow prisoners, been

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arraigned or presented to a Magistrate?

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No, no, they had been there for two days some of them, or since the beginning of the riot, and no one had been allowed to call his family, no one had been allowed to use the telephons, and no one had been arraigned, just put in the garage and that was that.

Q

Did you have occasion to observe the conduct of the National Guard after they had been deployed in your area?

A

No, I only had the occasion to observe a few people in the National Guard, a few members of the National Guard. The incident that I recall most vividly was when we were returning from the police station that evening, from the Tenth Precinct. We had come down Livernois and down Grand River. Well, I was the last car, and one car was stopped in front of me, and then he stopped my car afterwards, and this was by the Riviera Theatre, because that was at the junction there of Joy Road and Grand River, which is a large intersection, and while I was standing there explaining to them that I had just left the precinct and I was with the car ahead of me and all that sort of thing, and one of the National Guardsmen heard a rattle of some kind, I heard it too, but he turned and fired right over between the Five and Dime store and the Riviera Theatre, right in the street, like a street-alley, he just fired at that, and even the fellows who were with me both stopped

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talking and asked him what was he doing, what did he see, like that, and he said -- he didn't answer them, as I remember it now, he didn't answer them, but I know at least they both felt that he hadn't seen anything and he just heard something and he fired. Well, one of the fellows, one of the fellows who was with him and another one of his buddies went over there and we stood there, you know, while they finished talking to us and they walked over in that direction and they just sort of walked over in that direction about 15 or 20 feet and they looked and they started back toward us, and by that time he had cleared us and we started, you know, we started off.

MR. BIRENBAUM: Thank you very much.
(Whereupon the examination was concluded and the witness excused.)

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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

I-N-V-E-S-T-I-G-A-T-I-O-N

 Re: Detroit, Michigan

The Deposition of F. PHILIP COLISTA, taken before Gerald Hanson, a Notary Public, within and for the County of Wayne, State of Michigan, at 823 Federal Building, Detroit, Michigan, on Tuesday, January 9, 1968, commencing about 4:20 o'clock in the afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. HERMAN WILSON

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Detroit, Michigan
Tuesday, January 9, 1968
About 4:20 o'clock, P.M.

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F. PHILIP COLISTA,
a witness herein, after having first been duly sworn by
the Notary Public to tell the truth, the whole truth,
and nothing but the truth, testified as follows:

- - -

EXAMINATION BY MR. WILSON:

- Q Would you state your name, for the record, sir?
- A F. Philip, with one "l", Colista, C-o-l-i-s-t-a.
- Q What is your home address?
- A 19214 Littlefield, Detroit, Michigan.
- Q And what is your occupation?
- A I am an attorney, Director of the Urban Law Program, University of Detroit and on the faculty at that university.
- Q Can you tell me how long you have been engaged in your present employment?
- A About two years.
- Q Did you have occasion during the month of July, 1967 to become involved with arrestees in connection with the disorders in the City of Detroit?
- A Yes, I did.
- Q Can you tell me where you were primarily located during

1 that period? I am speaking of July 23rd or 24th, to the
2 end of the disorder. Where were you physically working
3 most of the time?

4 A Most of the time during that period of time of it I was
5 in the Misdemeanor office of the Neighborhood Social
6 Service office program.

7 Q Do you know the address of that office?

8 A I can't remember offhand, but it's at Beaubien and Gratiot
9 Avenue.

10 Q Would that be near the police station?

11 A Right across the street from the police station and the
12 Court House.

13 Q Did you have occasion to observe, or did you observe during
14 that period arrestees being brought into the main police
15 station?

16 A Yes. I observed people being brought in who had been
17 arrested, people being brought in directly from precincts,
18 people being brought into the Courts for the purposes of
19 arraignment and back over to the County Jail, which is also
20 right next to the police station, for purposes of incar-
21 ceration until trial time or preliminary examination, which-
22 ever was chosen.

23 Q Did you observe people incarcerated in other than the normal
24 facilities during that period?

25 A There were busses out on the sides of the jail and on the

1 side of the police station. I would venture to say sometimes
2 as many as 6 or 7 large Detroit Street and Railway busses
3 filled with prisoners, some having female, but by and large
4 mostly male prisoners in those busses.

5 Q Did you in the course of your work as Director of the Urban
6 Law Program, University of Detroit, in connection with
7 your activities during the riot have occasion to make a
8 study of arrestees during that period?

9 A Yes.

10 Q The study was made after, I presume, but of people who were
11 arrested during that period?

12 A Well, briefly what we did was that around the second day,
13 this would be Tuesday of that week, July 25th, I believe,
14 we decided that the following morning we would send up
15 about 20 students and a lawyer to interview people who
16 were being held in Jackson Prison, Jackson, Michigan.

17 Now, these were people who had been
18 arrested and taken up there by busses after arraignment
19 and we did that and we had students up there for three
20 days, that came back on Friday with the attorney. They
21 stayed in a motel during that period of time.

22 They interviewed a thousand fourteen
23 people, men, and these figures and statistics we have
24 presently. The purpose of this was to find out whether
25 or not these people would be good risks as far as bonds

1 and lowering of bonds, because most of them have high bonds
2 set on them during that week.

3 Starting Wednesday night, Thursday
4 morning and Friday morning a student each day would drive
5 in from Jackson with a pile of these questionnaires and
6 they were being processed in our office by VISTA volunteers
7 and other people working and checking out the information
8 that was being given us by the prisoners, such as their
9 employment. We called their employer, called family
10 members, things of that kind and therefore we were in
11 essence verifying a lot of information.

12 We were going to -- we had already
13 talked to -- I personally had talked to the Presiding
14 Judge, the Executive Judge of the Recorder's Court,
15 Vincent Brennan and Wayne County Prosecutor William
16 Cahalan and they had agreed that they would look at this
17 material and that this would be a good idea and that it
18 might be helpful to them in making a decision whether
19 bonds should be lowered as far as these people were
20 concerned.

21 That was the purpose of it, but as a
22 result of it we gathered a lot of information which we
23 followed up on, most presently with the help of the
24 Sociology Department of the U of D.

25 Q Has an analysis of those questionnaires been completed?

1 A We have a preliminary study that has been completed, and
2 which I have in front of me right now, giving some
3 statistics that might be of interest.

4 Q What were the significant findings contained in your
5 preliminary draft?

6 A Well, if I may go through this very quickly. We find that
7 about 66 per cent of the people were 28 years of age or
8 under. We find also that as between married and single
9 it was about evenly divided; that about 63 per cent of
10 those married had children, one to three children. 22
11 per cent had four or more children.

12 We find further that about 42 per
13 cent of those arrested had a length of residency of one
14 to four years -- excuse me, correct that, one to five years
15 length of residency and that only 21 per cent had residency
16 under one year at their present residence.

17 Approximately the same figures hold
18 true for length of residence at former addresses, so that
19 it appears that the residency was fairly constant, they
20 weren't necessarily transients.

21 We find out of one thousand one, there
22 were 13 here unknown, that 80 per cent of those arrested
23 and incarcerated at Jackson were employed at the time of
24 their arrest, about 80 per cent.

25 Q That figure was 80 per cent?

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A Yes. The major employers were Chrysler, Ford and General Motors Corporation and they -- of the 80 per cent who were employed these three corporations employed 41 per cent of that total.

With regard to seniority as to the total of the 80 per cent who were in fact employed, 28 per cent were employed with their present employer one year; two years, 24 per cent; three years, 15 per cent, and we find that 20 per cent of those who were employed had been with their present employer five to ten years, that would be about one-quarter of the sample of the one thousand people, roughly one thousand.

On previous arrests we find that about thousand 47 per cent of around the interviewees, 47 per cent had never had a previous arrest; about 27 per cent had one arrest.

With regard to previous convictions, we find a large percentage had no convictions. Of the one thousand approximately, one thousand people interviewed 67 per cent had no previous convictions. 19 per cent had one conviction; 8 per cent had two convictions and we found that 6 per cent had three or more convictions.

We break that down further as to misdemeanors. Arrests and/or convictions for misdemeanors, we find that 79 per cent of those interviewed had no

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1 arrests for and convictions for misdemeanors; and arrests
2 and/or convictions for felonies, 79 per cent had no
3 convictions.

4 Then we asked about the bonds. We
5 looked into the bond figures. We found that out of about
6 900 people who answered this question we looked into, 9
7 per cent had a bond of 0 to \$1500, which would mean a
8 personal bond up to \$1500, surety bond. 14 per cent of
9 the arrestees had a bond of \$1500 to \$2500; 5 per cent had
10 a bond from \$2500 to \$3000; 20 per cent of those interviewed
11 had a bond of \$5000; 44 per cent had a bond of \$10,000 and
12 6 per cent had a bond of \$25,000.

13 On the types of crimes being charged,
14 the people we interviewed, 52 per cent of them were charged
15 with entering without breaking which was the Statute that
16 was being used in the looting cases; 11 per cent were
17 charged with breaking and entering; 11 per cent were being
18 charged with just larceny; 6 per cent with receiving stolen
19 goods; 2 per cent with carrying a concealed weapon; 15
20 per cent of them were being charged with violation of
21 curfew, which is a misdemeanor, of course. They were being
22 held in a maximum security prison which normally is
23 something -- a prison where felons are incarcerated.

24 I will not mention any names here
25 because I don't have them in front of me, but these are

1 the size of bonds by Judge, and this only pertains to those
2 people that we interviewed.

3 Judge A. for example, here, gave bonds
4 of eight to \$12,000, 86 per cent of the time. In other
5 words, of those people who were interviewed who were
6 arraigned by Judge A, 86 per cent of his bonds were from
7 eight to \$12,000.

8 Judge B, 49 per cent of his, or about
9 a little bit more than half of Judge A were from eight to
10 \$12,000. This would be in comparison to Judge C who gave
11 out bonds in the amount of -- up to \$3,000 58 per cent of
12 the time and he only gave bonds of eight to \$12,000 5
13 per cent of the time. Five per cent of his bonds were
14 from eight to \$12,000 as opposed to Judge I whose bonds
15 were eight to \$12,000 85 per cent of the time.

16 We did this in order to show that
17 there were one or two judges at most who were probably
18 taking into consideration the risk factor, or the assurance
19 for trial of the people who were being arrested, that many
20 of the other judges uniformly gave high bonds.

21 Judge F for example, 94 per cent of
22 his bonds were between three and \$7,000. By the way, these
23 figures not only are -- include the felonies, but also
24 include the curfew violators, also, which is a misdemeanor
25 charge.

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Now, this is a comparison of prisoners at Jackson who had previous arrests and convictions and those -- with those who did not have these convictions and to their relative bonds that were given at this time. This was done in order to show that arrests and convictions had no bearing, or lack of arrests and convictions had no bearing on what the bond size was going to be. This was our hypothesis.

Bonds from zero through \$3,000, those that suffered no arrests prior to the disturbances, 22 per cent of them got bonds to three thousand dollars.

Those who had convictions and arrests before this time, 22 per cent also. It equalized.

Bonds from the size of three thousand to seven thousand dollars, those who had no previous arrests, 22 per cent of them got a bond from three to seven thousand. Those who had arrests and convictions 30 per cent of those got bonds of that size.

Now, the important figure is the eight to \$12,000 grouping. Those that had no arrests and no convictions prior to the disturbances of July, 1967, 48 per cent of those received bonds from eight to \$12,000 as opposed to those who had arrests and convictions prior to the disturbances, they received -- 40 per cent of those received bonds of that size too. It's rather close, which

1 would indicate the the courts were not looking to arrest
2 and conviction records in making a determination as to what
3 the bond size would be. It was uniformly given to people
4 regardless of -- this would be my interpretation, regardless
5 of their previous arrests, high bonds were being given.

6 Q Do you know, Mr. Colista, whether or not a copy of that
7 document has been made available to the Commission?

8 A The President's Commission on Civil Disorders?

9 Q Yes.

10 A Yes, it has been sent to Washington, and -- Steve Waldhorn.
11 Yes, to a Mr. Steve Waldhorn, I believe.

12 Q Were there any other particular instances involved in the
13 administration of justice during that week that you think
14 were out of the ordinary or that you know to be out of the
15 ordinary in terms of your experience in the Detroit Courts
16 prior to this disorder and during it?

17 A Yes. There are a couple of additional matters here.
18 Of course, the one difficult problem was that when you did
19 get a request by, a family member, someone of that type
20 to look into a particular matter, that it was very
21 difficult to find the prisoners, to find the defendant.
22 It was very difficult to track down any kind of files.
23 It was very difficult to get bonds reduced, even though
24 you had facts at hand which would indicate that a bond
25 reduction was in order.

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Lawyers who I talked with and associated with during that entire week, primarily the first few days of the disorders were all pretty much unable to obtain writs of habeas corpus, and uniformly just about -- writs of habeas corpus, hearings on those writs were postponed for several days or so. There were some that were heard more immediately than others, it depended on the particular judge, but by and large writs of habeas corpus were very difficult to get hearings on.

Also for a period of time, I believe, starting on Wednesday, which would be July 26th, as I recall, the Sheriff's office was not even taking bonds, even if bond could be met. He refused to let people out on that bond for about a day and a half, two days. The reason given was that it was difficult to find the prisoners and they weren't going to look for them at that particular time and he did in fact have a notice on the door of the jailhouse, which is under his custody, County Jail, stating that no bonds would be honored until further notice, and I saw that myself.

MR. WILSON: Off the record.

(Whereupon a discussion was held off the record.)

MR. WILSON: Thank you very much,

Mr Colista.

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(Whereupon the deposition was concluded.)

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STATE OF MICHIGAN)
) SS:
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Gerald Hanson, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Wayne, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me on Tuesday, January 9, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth; and that the said deposition is a true and correct transcript of the whole of the deposition testimony so given by the said witness upon his oath.

I do further certify that I am not connected by blood or marriage with any of the parties, or that I am not employed by either of them, nor interested in this matter in controversy, either directly or indirectly, in any way.

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IN WITNESS WHEREOF, I have hereunto set
my hand and affixed my notarial seal at Detroit, County
of Wayne, State of Michigan, this 19th day of January,
1968, A. D.

Gerald Hanson
Gerald Hanson
Notary Public, Wayne County, Michigan.
My Commission expires November 12, 1968.

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NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

INVESTIGATION

Re: Detroit, Michigan

The Deposition of ALBERT SCHWALLER,
 taken before Robert Prost, a Notary Public within and for
 the County of Oakland, State of Michigan, on Wednesday,
 January 10, 1968, at 823 Federal Building, Detroit,
 Michigan, commencing about 3:30 o'clock in the afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. NATHANIAL JONES

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Detroit, Michigan
Wednesday, January 10, 1968
About 3:30 o'clock, P.M.

- - -

ALBERT SCHWALLER,
after having been first duly sworn by the Notary Public
to tell the truth, the whole truth, and nothing but the
truth, testified as follows:

- - -

EXAMINATION BY MR. JONES:

Q For the record would you please state your name?

A Albert Schwaller.

Q How do you spell your last name?

A S-c-h-w-a-l-l-e-r.

Q By whom are you employed?

A Detroit Police Department, City of Detroit.

Q In what capacity?

A As an Inspector, Detective, Commanding Officer of the
Homicide Bureau.

Q What are your duties, sir?

A I am directly in charge of the men employed at the
Homicide Bureau, assigned to the Homicide Bureau, and we
deal in Homicide, unnatural death, suicide, attempted
suicide, and abortions. And I am responsible for the
investigation and the processing of these cases.

1 Q How long have you been assuming these duties?

2 A I have been in charge about 14 months as Inspector. I
3 worked prior in the Homicide Bureau as Executive Lieutenant
4 approximately a year prior to my probation, and I was
5 working as the acting -- as a Detective, and Detective
6 Sergeant approximately seven years in the Homicide Bureau.

7 Q Do you have supervision over the preparation and the main-
8 taining of reports of homicide and unnatural deaths?

9 A This is my responsibility, yes.

10 Q I hand you what I have marked for identification purposes
11 as Exhibit D-2 and ask you to identify that please.

12 A Yes, I can recognize this.

13 Q What is it, sir?

14 A This is a report on a "Case investigated form, Detroit
15 Police Department, Police Department No. 4674, City of
16 Detroit, No. 672."

17 Now, this is a form we use for the
18 investigating officers who are assigned to a homicide,
19 make a summary of the investigation. The primary facts
20 here are the name of the deceased, the name of the
21 officers handling the case, the name of the defendant who
22 is being charged.

23 And then there is a summary, detailing
24 the investigation from the very start, which would be from
25 the time we were first notified of the crime, following

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through to the ultimate ending of the crime.

And we submit this summary to the Wayne County Prosecutor, Mr. William Cahalan, or one of his assistants.

Now, this is only a summary. With this report they will have with them statements of the arresting officers, statement of the officer responding to the scene, statement of all witnesses, the autopsy report, the medical examination made, a detailed autopsy report, this has to be in the file giving the cause of death. Every witness that is mentioned or had anything to do with this particular case, a statement is taken from him and this is also taken along to the Prosecutor's office. Also the records of both deceased and of the defendant are given to the Prosecutor. Any facts pertaining to this case is kept on our file, the homicide file, in a large manila envelope, and we number each one.

This is how we keep all our records together. Now, we give this to the Prosecutor. He could not make a decision on what I have here in my hand. This is merely a summary of what took place.

Q And is that record prepared in the normal course of functions of the Police Department?

A Every case, whether it is a homicide or whether it is a holdup or a purse snatching, or whether it is just a simple

1 larceny, we use the same form, yes.

2 Q I hand you what I have marked for identification purposes

3 as Exhibit D-3. Is that an official Police Department

4 report record?

5 A It is.

6 Q And is that on the homicide of Sharon George.

7 A Yes.

8 Q And D-4, would you indicate whose report that is, please.

9 A It is. The deceased is George Messerlian.

10 Q Now, D-5?

11 A It is. And it is regarding the deceased of Nathaniel

12 Edmonds.

13 Q And D-6?

14 A It is. Regarding the deceased, Helen Hall.

15 Q And D-7?

16 A It is. Deceased is Julius L. Dorcy.

17 Q And D-8?

18 A It is. The deceased is Tonia Blanding.

19 Q And D-9?

20 A It is, the deceased is Henry Denson.

21 Q And D-10?

22 A Yes, it is. The death of William Dalton.

23 Q D-11?

24 A It is. The deceased, John Leroy.

25 Q D-12?

1 A It is. The deceased is Alfred Peachlum.

2 Q D-13?

3 A It is. The deceased is Larry Post.

4 Q D-14?

5 A It is. The deceased, Jack Sydnor.

6 Q D-15?

7 A It is, the deceased is Clifton Pryor.

8 Q D-16?

9 A It is, the deceased is George Tolbert.

10 Q Did you have occasion to read the accounts of some of the
11 homicide that appear in the Detroit Free Press?

12 A I read the account in the Detroit Free Press and also the
13 Detroit News.

14 Q And did you form an opinion as to the accuracy of those
15 accounts and also the benefit that may have accrued from
16 this type of reporting?

17 A Well, the information, of course, was received right
18 directly from our office. I think the Free Press started
19 their own investigation and they became involved out there,
20 and we got together and we thrashed out our differences.
21 And I have no quarrel with the newspapers. I think they
22 did a wonderful job. And I co-operated thoroughly with
23 the newspapers, because I think they should publish the
24 facts of what is going on in our city.

25 Q The various exhibits which you have just identified, 2

1 through 16, representing reports of homicides, are these
2 homicides all riot-connected?

3 Would you like to look through them?

4 A I would like to look through them again.

5 Q The homicides reflected in the Exhibit D-2 through D-16,
6 have been examined by you. Can you tell us whether each
7 of the homicides is riot-connected?

8 A In my estimation they are. However, there is one that may
9 be doubtful. The death of Walter Grzanka, it is a 45-year
10 old white man that broke into a store and was shot by the
11 store owner.

12 Now, we will never know what was in
13 his mind, whether it just happened to be at the time he
14 broke into the store, or whether it was riot-connected.
15 There may be some doubt in someone's mind. However, I
16 have filed it as a riot-connected.

17 MR. JONES: I think that is all.

18 (Whereupon the deposition was
19 concluded.)

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STATE OF MICHIGAN)
) SS:
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Robert Prost, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Oakland, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me on Wednesday, January 10, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth; and that the said deposition is a true and correct transcript of the whole of the testimony so given by the said witness upon his oath.

I do further certify that I am not connected by blood or marriage with any of the parties, or that I am not employed by either of them, nor interested, in this matter in controversy, either directly, or indirectly, in any way.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at Detroit, County of Wayne, State of Michigan, this 11th day of January, 1968, A. D.

Robert Prost
Robert Prost,
Notary Public, Oakland County, Michigan
My Commission expires November 28, 1971

NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

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I-N-V-E-S-T-I-G-A-T-I-O-N
Re: Detroit, Michigan

The Deposition of RITA GRIFFIN, taken before Gerald Hanson, a Notary Public within and for the County of Wayne, State of Michigan, at 479 Ledyard Street, Detroit, Michigan, on Tuesday, January 9, 1968, commencing about 12:15 o'clock in the afternoon.

FOR THE NATIONAL ADVISORY COMMISSION:

MR. HERMAN WILSON

- - -

Detroit, Michigan

Tuesday, January 9, 1968

About 12:15 o'clock, P.M.

- - -

R I T A G R I F F I N, a witness herein,
having first been duly sworn by the Notary Public to tell
the truth, the whole truth, and nothing but the truth,
testified as follows:

EXAMINATION BY MR. WILSON:

Q Would you state your full name and address for the record,
ma'am?

A Okay. Rita Griffin, the address is 37 Auburndale.

Q And can you tell me what your occupation is, Miss Griffin?

A On the staff for the Chronicle.

Q How long have you been so employed?

A Well, I have been with the Chronicle around seven years.

Q Can you tell me what you were doing on the morning of July
23rd, 1967?

A You mean before --

Q (Interposing): In the early morning hours?

A Sleeping.

Q Can you tell me when you first learned that something was
going on in Detroit on that morning?

A Okay. I learned through a telephone call, and I would say
it was a little before nine, between eight and nine o'clock.

1 Q At some time thereafter did you leave home, then?

2 A Yes.

3 Q Can you tell me where you went when you left home?

4 A We went on Twelfth and Atkinson.

5 Q Can you tell me -- was this Twelfth and Atkinson within
6 the riot area, where riot activity was going on at that
7 time?

8 A I think it extended as far as Atkinson. We were about a
9 block away from the main area which by that time, they had
10 it blocked off at Clairmount. I don't know how far they
11 had it blocked down the other way.

12 Q Did you have occasion that morning to observe people who
13 were involved in looting stores?

14 A Several, yes.

15 Q Were there any police in the vicinity when you saw people
16 looting stores?

17 A Yes.

18 Q Do you recall any particular incident that you could
19 describe -- tell me what the conduct of the police was at
20 that time?

21 A Well, as far as their conduct, I couldn't say. There was
22 one incident on Grand River and Beverly, an appliance store,
23 Goodhousekeeping, where the people were looting and they
24 would actually drive up to the store and load things in the
25 car.

1 Now, the police were on Grand River and
2 Joy and they were in a position to see this because they
3 were about a block away, and they did nothing, you know,
4 they didn't tell them to stop, as far as I could see.
5 They just stood there and sort of directed traffic.

6 Q Did you observe at any time people driving by a policeman
7 and showing goods they had looted?

8 A Occasionally. This was primarily the younger adults,
9 maybe the ones in their teens, they would drive by and
10 maybe they would hold up an article, an item.

11 Q What action, if any, was taken by the Police when this
12 sort of thing happened?

13 A Well, they would either ignore it or they would move on.

14 Q Did you notice anyone being arrested by police that
15 morning?

16 A No, I didn't see any arrests out there at all.

17 Q Did you drive around other parts of the city during the
18 day on Sunday?

19 A Yes, we did.

20 Q And in what general area did you drive?

21 A Well, we moved wherever we heard there was a disturbance,
22 an outbreak of looting. From Twelfth we went to Linwood
23 and then Lawton, Grand River area, Dexter area.

24 Q Looting was going on in all of these places at some time
25 Sunday?

1 A Yes.

2 Q Did you observe any other instances of police seeing
3 people in the process of looting, or being in a position
4 of seeing people in the process of looting and taking no
5 action to stop them?

6 A Well, on Dexter, when we arrived on Dexter they were just
7 beginning to break into the stores, you know, looters.
8 Well, the street was sort of congested, it was very
9 crowded, but there were policemen on the street and there
10 were no arrests and they were carting off large items.

11 Q Do you recall approximately what time of day this was on
12 Sunday when you got to Dexter?

13 A Let's see. When we got to Dexter it must have been -- I
14 really can't say. It was early afternoon. It must have
15 been around about two or later.

16 Q And what time of day did you leave the street on Sunday, or
17 were you in and out?

18 A Well, we were in and out all day. You mean what time did
19 I finally go?

20 Q Yes, finally leave?

21 A I think we finally went about eight o'clock.

22 Q During the entire day on Sunday when you were out did you
23 observe the police making any arrests?

24 A No. I saw no arrests at all.

25 Q Can you tell me, Miss Griffin, what your activities were,

1 or your duties were with the newspaper for the balance of
2 the riot week?

3 A Well, let's see. The deadline was the next day and --
4 which is my off day ordinarily, but I knew there was a
5 shortage and I came in to help, and mostly I would man the
6 phones and answer the calls of various reporters through-
7 out the Country, you know, and I would inform them what
8 was going on and what we had learned up to date and I think
9 I was then assigned to a story on one of the stores that
10 had been burned.

11 Q You were not generally on the street during the rest of
12 the week covering the riot in progress?

13 A No, I wasn't. I think Monday was about the last day that
14 I, you know, was involved and then any information I had,
15 or any stories I covered were on the telephone.

16 MR. WILSON: Off the record.

17 (Whereupon a discussion was held off the
18 record.)

19 Q (By Mr. Wilson, continuing): Can you tell me, Miss Griffin,
20 what the general attitude of the people was who were on the
21 streets on Sunday? How did they react to what was going
22 on?

23 A Well, they were very ammeniable toward each other, and
24 when it first started -- well, when we were out there,
25 actually before the fires and whatnot, it was like one big

1 party, you know, everybody was having a ball and share and
2 share alike; as if one person, say, had a case of Coke or
3 a case of liquor, whatnot, he would divide it, you know.
4 They wouldn't sell it, they would just give it away, and
5 things that couldn't be used were left on the street.

6 Q Did you have an opportunity to observe the general age
7 level of the people who were involved in this? Were they
8 older people, younger people, people of all ages?

9 A Generally it was people of all ages. You would see children
10 helping their parents, you know, in some cases. In some
11 cases you would see teenage boys, but I don't think there
12 was any particular age limit.

13 Q Were there many people other than Negroes involved in the
14 looting that you observed?

15 A No, I don't -- no, I didn't observe that, not on this
16 particular day. Later, I know, you know, I noticed that,
17 but not Sunday, in other areas.

18 MR. WILSON: Off the record.

19 (Whereupon a discussion was held off the
20 record.)

21 MR. WILSON: Thank you, very much, Miss
22 Griffin.

23 THE WITNESS: You are welcome.

24 (Whereupon the deposition was concluded.)

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STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

CERTIFICATE OF NOTARY PUBLIC

I, Gerald Hanson, of the firm of BETZ, ROWLEY and SUMMERS, Qualified Court Reporters, a Notary Public within and for the County of Wayne, State of Michigan, duly commissioned and qualified, do hereby certify that the witness whose attached deposition was taken before me on Tuesday, January 9, 1968, was by me first duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth; and that the said deposition is a true and correct transcript of the whole of the testimony so given by the said witness upon his oath.

I do further certify that I am not connected by blood or marriage with any of the parties, that I am not employed by either of them, nor interested, in this matter in controversy, directly or indirectly, in any way.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at Detroit, County of Wayne, State of Michigan, this 16th day of January, 1968, A.D.

Gerald Hanson
Gerald Hanson
Notary Public, Wayne County, Michigan
My Commission expires November 12, 1968

Friedman - Detroit

Copy

NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

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: INVESTIGATION :
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: RE: WASHINGTON, D. C. :
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:-----:

New Federal Building #7
Room #8230
17th and H. Streets, N.W.
Washington, D.C.

Friday, January 19, 1968

Pages 1 to 19, inclusive

Federal Steno Services
1522 K. Street, N.W.
Washington, D.C. 20005

Reporter: Ronald J. Tette

NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

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: INVESTIGATION :
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: RE: WASHINGTON, D. C. :
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New Federal Building #7
Room #8230
17th and H. Streets, N.W.
Washington, D.C.

Friday, January 19, 1968

Deposition of Mr. Saul Friedman, witness in the
above-entitled cause, called for examination at the New
Federal Building, 17th and H. Streets, N.W., beginning at
2:15 P.M., before Ronald J. Tette, a Notary Public in and
for the District of Columbia.

APPEARANCE:

David Birnborn for the Government.

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DEPOSITION OF:

DIRECT CROSS REDIRECT RECROSS

Saul Friedman

3

P R O C E E D I N G S

1
2 Thereupon,

3 SAUL FRIEDMAN

4 having been first and duly sworn, was examined and testified
5 as follows:

DIRECT EXAMINATION

6
7 BY MR. BIRNBORN:

8 Q Would you state your name and address?

9 A Saul Friedman, 5534 Johnson Avenue, Bethesda,
10 Maryland, office address 1195 National Press Building.

11 Q What is your occupation?

12 A I am a reporter for the Knight Newspaper
13 which includes the Detroit Free Press.

14 Q During the course of the riot in Detroit
15 this last summer were you assigned to report on the disorder
16 for the Detroit Free Press?

17 A Yes.

18 Q Can you tell me when you first went to
19 Detroit to report it?

20 A I couldn't recall the exact date, it was a
21 Wednesday.

22 Q What did you actually do?

23 A When I got to the office, I was assigned to
24 do a story which included several telephone calls for the
25 following day, the Thursday paper, it didn't involve going

1 out to any of the sections, but simply talking to some experts
2 around the country about Negro problems, race problems and
3 riots. That afternoon, however, on my own, I managed to go
4 to the riot area and accompany a unit of the National Guard
5 patrolling the riot area that night.

6 Q What was the means of transportation which
7 you used?

8 A Do you mean getting out there or--

9 Q Once you were there?

10 A I rode with the Command jeep, that is the
11 jeep in which the, I believe the Company Commander was
12 riding, a Captain.

13 Q How was the National Guard group constituted,
14 in terms of vehicles?

15 A We went out on a, what was called a combat
16 patrol. Although, it may have been more like a reconnaissance
17 patrol. It included, as I recall, two jeeps in each of which
18 were four soldiers. Another command jeep in which I was
19 riding with another reporter, the Captain, driver and the
20 guardsman who was to man the radio. We were followed by a
21 tank as we went out on patrol. Later, we split away from
22 the other jeeps and the tanks so that the Captain could
23 cruise around his entire assigned area checking on his other
24 jeep patrols and men on foot.

25 Q So, altogether, these vehicles formed a

1 column?

2 A Yes.

3 Q Approximately how long did you spend with
4 this group on this mission?

5 A From about sunset, at about 7 o'clock, I
6 suppose, to around one in the morning.

7 Q And did you go back the following day with
8 the same group?

9 A No, I did not.

10 Q Another group of National Guardsmen?

11 (Off record)

12 (Back on record)

13 THE WITNESS: No, I didn't go riding with the
14 National Guard after that, but I did go back to the riot
15 area, checking with guardsmen, residents, policemen, other
16 people in pursuit of information and stories.

17 BY MR. BIRNBORN:

18 Q Could you relate to us some of the occurrences,
19 some of the more significant occurrences which developed
20 during the course of your experience with the National Guard
21 group?

22 A Yes, I can, along around sundown, firing began
23 breaking out a block away from us at all times in the distance we
24 we could hear firing and when the Captain received information
25 on his radio that there was a suspected sniper in his area,

1 we would race in the jeep to that location. I remember when
2 it was quite dark, but still fairly early in the night, we
3 suddenly pulled up in front of a large old house on a corner
4 in the area and word was whispered to me by the Captain or
5 somebody in the jeep that there was a sniper in that house.
6 When we had arrived there, there were other police units and
7 National Guard units. It didn't appear that they had been
8 there for very long because people were still getting out of
9 the cars and jeeps. We got out of the jeep quickly and crouch-
10 ed down, taking cover, and simply waited. In a few minutes
11 the tank came rumbling up and without hearing a command from
12 anyone or a shot coming from the house, the tank, the guards-
13 men crouching in various places, and the police opened up
14 firing at the house. I suppose each of them must have fired
15 two or three rounds, then I'm sure the machine gun fired one
16 or two bursts of perhaps five or ten rounds each. No one
17 seemed to know that there was a sniper in the house, everyone
18 seemed to know it because someone told them, but I couldn't
19 find anyone who saw, actually saw a shot or heard a shot or
20 saw a muzzle flash or had been nearly hit by a shot. I found
21 no evidence that there were any shots landing in the streets
22 from any house. After the firing stopped, I heard footsteps
23 to get into better position in the house and then more
24 firing from small arms fire and then someone yelled, "they
25 got him -- they got him," and I saw, I think, three white

1 men being hustled from the house by police officers and
2 National Guardsmen. They were hustled very quickly into a
3 car and driven off. A couple of hours later, I might
4 interject here, throughout the evening, the process was the
5 same. We heard hearsay reports either from the streets as
6 we passed by, or from the radio that there was a suspected
7 sniper in a particular building. We would race, jump out of
8 the jeep, crouch, sometimes shots were fired at the building,
9 sometimes not, after nothing happened we would simply climb
10 back into our jeep and go someplace where shots were fired.

11 Q You were brought in by the Command Jeep
12 which was commanded by the Captain?

13 A Yes.

14 Q Was he the highest officer in command of the
15 group?

16 A Yes.

17 Q Reference had been made to check with high
18 authorities with respect to the veracity or access of
19 information regarding identification of sniper, the Commander
20 of the unit would have made those efforts?

21 A Yes, he would have. In fact, one of the
22 situations while we were crouching, I simply wondered aloud
23 to the Captain why normal police procedures aren't followed
24 regarding fugitive or a suspect in a building. I have been
25 a police reporter before and I have been in kinds of situations