

# DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 7 OF 16

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DETROIT CHAPTER  
NEWSLETTER 1970



Detroit Chapter  
National Lawyers Guild

RECEIVED MAY - 9 1970

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NO. 2

MAY NEWSLETTER

CHUCK RAVITZ TALKS ABOUT JURY SELECTION IN VIERA - FULLER

History, American style, was made and clarified in the last of the New Bethel Trials involving Defendants Rafael Viera and Clarence Fuller, charged with the shootings of two Detroit Police Officers outside the Church meeting of the Republic of New Africa on March 29, 1969. In early March, prior to the beginning of the trial, a challenge to the array was made on the grounds that it was unconstitutional to select jurors exclusively from voter registration lists, which automatically excludes 34% of the adult population in Detroit including, of course, many political dissidents. This motion was based, in part, upon the brilliant efforts of Charles Garry in the defense of Huey Newton. After denying the motion, the trial court granted the second motion requiring that the most recent voter registration list (1969) be used, rather than the intended list of 1967, which would have excluded all persons between the ages of 21 and 24.

Thereafter, jury selection commenced and defense counsels' attention was next directed to the mathematical possibility that in 1970 in the City of Detroit (nearly 50% black) in a major race trial black defendants could find themselves being tried by an all-white jury. In the prior New Bethel Trial, in which Defendant Alfred Hibbitt was acquitted, the prosecution exercised all of its challenges against prospective black jurors; by doing so in the present case, he could have systematically excluded all blacks, who numbered approximately 25% of the jury panel.

Investigation ensued into the excusal by the three jury commissioners of prospective jurors based upon their jury questionnaires, and on March 26, a motion was filed challenging the array based upon the investigation results. From that date through April 13, testimony and investigation supported every claim made by the defense: Of approximately 7,500 jurors who appeared before the three gubernatorily appointed jury commissioners, in excess of 4,000 were excused by the commissioners. Of this number, the defense claimed that 80% were improperly excluded in violation of statutory and constitutional provisions. On April 13, the court held that 73% (this later proved to be 75%) were, in fact, improperly excluded.

Among the categories of persons improperly excluded were the following: all ADC mothers; all persons ever arrested or detained in a jail or youth home facility at any time, including persons charged (and not even convicted) with misdemeanor, traffic, and juvenile offenses, all students; all persons whose personal appearances or political associations were not to the liking of the jury commissioners: e.g., those with "bushy hair," beards, mini-skirts, liquor on their breath, gum chewers, "kooky college kids," and persons affiliated with community organizations such as the Board of Tenants' Affairs, National Welfare Rights Organization, and other persons engaged in community organization or social work. Many persons were excused because they were "unkempt," "fat," had "poor attitudes," or were, in the judgment of the commissioner, "nervous and emotional."

Complete proofs were not taken on the constitutional questions because in the midst of such proofs the prosecution stipulated to the formula advanced by the defense for curing the present jury panel. However, defense counsel, had stated to the court and was prepared to prove that a qualified white juror had a 65.61% chance of being accepted by the commissioners, while a qualified black juror had a 38.64% chance of being accepted by the commissioners. Proof of institutionalized racism and class discrimination was demonstrably evident by the calling, at random, of improperly excluded jurors who were, by the court's decision, ordered to augment the prior jury panel. In excess of 50% of the previously, improperly excluded jurors were black, as contrasted with 25% of the prior jury panel. Moreover, the economic status of the new jurors was perhaps even more prominently juxtaposed with the far wealthier members of the prior jury panel.

As a result of the New Bethel Case, the entire Recorder's Court jury selection process was revamped -- that is, ordered to comply with what the law has always been. Forty percent of the registered voters in the City of Detroit are black. Defense attorneys (as well as judges and prosecutors) have known that no more than 25% of all Recorder's Court jurors have been black. The victory was a great one and will affect, institutionally, hundreds of trials in the future. However, with the aid of hindsight, it's incredible to see how long it took for persons to pinpoint and successfully focus upon the nerve point whereby institutional racism has been perpetuated for years, up-south as well as down-south, without challenge.

Attorneys for the New Bethel Defendants are Guild Lawyers Brother Gaidi (Milton Henry), Kenneth Cockrel, and Justin C. Ravitz, along with O. Lee Mollett and Sheldon Halpern.

(Ed. Note - The jury as finally selected consisted of 11 blacks, 2 whites and one person of indeterminate race.)

#### HIGHLAND PARK COMMUNITY COLLEGE STRIKE

On April 10, 1970, The Black Student Coalition at Highland Park College called for a creative non-violent strike at the college. The strike was intended as a protest against the racist administration of Highland Park College; the lack of student control in a school which has 80% black students; the incredible racial imbalance which has resulted in the termination of seven of fourteen black teachers; the dismissal of E. C. Cooper, a radical black teacher; the lack of a black studies program; and finally, the non-compliance, by the college administration, with a contract negotiated as a result of student strike demands last year in May.

The peaceful creative non-violent strike lasted from April 10, 1970 until April 25, 1970. On April 25, 1970, Student Council President, Larry Simmons, who is one of the strike leaders, announced the end of the creative non-violent strike. The protest would, from that date, take on new forms, and, to the present, has involved a boycott of the cafeteria and bookstore.

From the moment of its inception, the strikers have been represented by National Lawyers Guild and the Wayne County NLS attorneys. On Friday, the 10th of April, NLG attorneys Mark Weiss and Mike Schumann began a constant association with the strike that involved them, not only as attorneys for students arrested as a result of the strike, but also as official observers

of police and administration misbehavior. The attorneys were assisted by law interns and law students from WCNLS in Highland Park. As the days progressed, the tension surrounding the strike grew greater. Police harrassment increased daily. NLG attorneys slept with the strikers in the two buildings they occupied during the week of April 10, 1970 until April 17, 1970. The Police were present to quote Mayor R. B. Blackwell, "to protect students who want to attend school as long as necessary." The necessity however, was not apparent. No one was harrassed nor intimidated by the strikers. On the contrary, the strikers were coerced, provoked, intimidated, and harrassed in the hope that they would somehow retaliate. The police maintained twenty-four hour a day surveillance, took pictures, and worked in collusion with school administrators to harrass strikers.

At last count there had been fifteen arrests as a result of the strike action, and numerous NLG and WCLNS attorneys are involved in the representation of these defendants. Five of the cases have been removed to Federal Court on denial of civil rights grounds. One of these cases involved a NLG and NLS lawyer who was arrested when he attempted to ask whether a striker who was being arrested had been informed as to her constitutional rights.

The racist police and administration have made every attempt to stifle public protest, from constant harrassment, to the requesting of bar identification from known attorneys before they could enter the locked police station to see arrestees. But all the harrassment has brought nothing in return. The strike has remained peaceful and calm. The community has rallied with unexpected support, in an overwhelming display of concern, for both the students and their demands, and the need for community control. In addition, peoples' lawyers have launched an all-out attack on the archaic and unconstitutional jury selection system in Highland Park which would have denied a fair trial to the Black Student strikers as it has denied fair trials to black people until now.

When all of these factors are successful, the racism prevalent in Highland Park will have been beaten, and black people will be guaranteed their rights and power under a new legal system.

#### THE GUILD BEGINS ITS OWN CRIMINAL TRAINING CLASSES

In response to an increasingly apparent need the Guild office will conduct a summer-long training class in criminal law and procedure for students and young attorneys. The reasons for instituting this class (which will be repeated on a regular basis) are as follows:

- A. While there is a sufficient reservoir of Guild attorneys to handle our misdemeanor and civil suit caseload, there is a lamentable deficiency of lawyers both willing and competent to respond to our felony needs.
- B. Although there are numbers of young attorneys graduating today who are interested in doing socially progressive and productive work, it takes months and years for them to become sufficiently trained to handle felony cases involving political defendants.

Therefore, Chuck Ravitz, Ken Cockrel and other experienced criminal attorneys will devote one or more nights per week this summer to clinical training class. It will be practice oriented and will cover everything from dealing with police at the station-house through trial. By this means we hope to involve

and hold our young and prospective colleagues in addition to expanding the range and maintaining the caliber of the services the Guild has traditionally provided.

Practicing attorneys who feel that they might both benefit from and/or contribute to the class are urged to participate. For further information contact the Guild Office.

#### THE CRITICAL NEED FOR THE DEVELOPMENT OF WORK OPPORTUNITIES

The obvious consequences of training young attorneys and student Guild members to do meaningful work is that beginning this year and increasingly every year, we will be faced with placing these people in positions in which they can actually function as they have been trained.

At present there exist no facilities for linking Guild students up with Guild attorneys and other sympathetic attorneys and firms. The record of the Guild is abominable in the area of accomodating and developing young lawyers. We are now in a position to offer the best, brightest, most competent and committed of the new breed of attorneys coming out of our law schools to our friends around the city and the state.

Not to respond to this opportunity means that the Guild will lose large numbers of valuable practicing members because economic necessity forces them away from association with us. This problem, acute now, will be doubled next year.

Accordingly, the Guild office is prepared to act as an agent or intermediary for anyone seeking a clerk for the summer or a permanent associate. Contact us and tap the real power coming out of the law schools.

#### NOTES OF INTEREST

1. Heavy Social Event -- Guild attorneys and all related personnel should mark off June 5, 1970.  
On that evening the Detroit Chapter will have its annual meeting and election of officers: meet new members and students, find out about the office, and generally have a good time.  
Roma Hall - 3900 Gratiot - Be prepared - Details later.
2. Lawyers' Conference on Vietnam  
York University, Toronto, Canada  
May 22 - 24  
Lawyers from North Vietnam and the National Liberation Front  
Papers on all legal aspects of war  
Cheap  
Information and applications from Guild Office
3. Tom Paine Summer Law School  
Seven weeks starting June 15  
Berkley and the Deep South  
Charles Garry, Howard Moore, Ben Smith, Malcolm Burnstein, et. al. - faculty.  
More from Guild Office

4. Very good article on the "Jury as a Political Institution" available upon request from Guild Office. A little money to cover reproduction would help.
5. General Motors: Project on Corporate Responsibility.  
This group of Washington attorneys is going to challenge the corporation management at the annual meeting in Detroit, May 22 at 2 P.M. at Cobo Hall. They want three things:
  - a. Voting your shares if you own them.
  - b. Acting as a proxy for others if you do not.
  - c. Volunteering other kinds of assistance.

For further information contact Susan Werbe (353-1117) or Dan Dozier (832-5559).

### ACTIVITIES

In addition to all that has been mentioned above, the office has taken in a large number of miscellaneous matters. They are basically:

- A. Tickets, misdemeanors and other arrests arising out of the April 15 peace demonstration.
- B. There have been numerous situations involving the National Committee to Combat Fascism, primarily around the right to sell Black Panther newspapers.
- C. Arrests and other problems arising out of the situation in the Detroit Public Schools.

Regarding the last of the above, it is obvious that school problems have just begun in the city. The Guild will attempt to work in a cooperative way with Wayne County Legal Services, West Central Organization, Black Student Associations and other progressive elements involved to help achieve community control of schools and avoid racial violence. This will be a long-term, massive effort and we urge all those who have an interest in any of the many issues presented to contact us and help.

### FUNDING

The range of activities described and the fact that you have received your second consecutive Newsletter should dispel any notion that the Guild office is not a serious operation or that we will not be here very long. It is and we will.

This office has come as far as it has because of the enormous sacrifices of those most closely related to it. In addition, it has been the generosity of a wider circle of attorneys and friends which has made it possible. The responsibilities of the remainder of the Guild and its supporters is unequivocal.

Read the funding requests of the first Newsletter. Send us what you can and what we need.



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NO. 3

JUNE NEWSLETTER

ANNUAL GUILD DINNER - JUNE 5

The annual meeting and dinner of the National Lawyers Guild, The Detroit Chapter, will be held on Friday, June 5, 1970, at 6:00 p.m. at the Roma Hall, 3009 East Gratiot, Detroit. That's this Friday!

As you know, 1970 has been a year of reactivation for the National Guild as well as the Detroit Chapter. The annual dinner is the one opportunity for all of us to get together, explore the year's activities, plan for the year ahead, and enjoy ourselves as well.

In February of this year the Detroit Chapter opened the Detroit office of the Guild to coordinate legal defense for those arrested while engaging in political activities, as well as engage in educational functions for members of the bar and law students so that they can be prepared to handle these cases. A full report on the exciting growth of the office will be presented by Hugh Davis, one of the young attorneys who has devoted a great deal of his time to making the office work. There will also be reports on the progress of the National Defense Committee, formed at the Guild annual convention in Washington, to coordinate movement defense throughout the nation; the National Committee to Defend Lawyers which is attempting to deal with the national repression of attorneys representing unpopular causes and clients; the future plans of the Detroit Guild; and the election of officers and Board members for 1970-71.

Attorney Mary Kaufman, the Director of the New York City Guild Mass Defense Office will be the featured speaker. There also will be great food, unlimited beer, set-ups for liquor (bring your own), and some surprise entertainment. Tickets are \$15.00 per couple (\$7.50 per couple for law students, Vista attorneys and others working for subsistence income), and should be purchased in advance through the Guild office, 5705 Woodward, 871-1251, or Charlie Barr, 3200 Cadillac Tower Building, 965-0050. Do your best to come! If you can't attend ... Buy a ticket and donate it to a young lawyer or law student who might not otherwise be able to attend.

GRANT FROM FUND FOR EQUAL JUSTICE

On May 25, 1970, the Fund for Equal Justice authorized a grant of \$1000.00 to the National Lawyers Guild for its educational and research activities. Five hundred dollars will go toward the formation of a working law library so badly needed to do essential research. Five hundred dollars will go toward continuing legal education classes for lawyers and law students. We thank the Fund for its generous assistance, and feel that their help will assure the continuation of Guild services to the community.

### CRIMINAL LAW CLASSES

The first legal education classes to be conducted by the Guild will be in the area of Criminal Practice. The classes will be conducted by Attorneys Justin C. Ravitz and Kenneth Cockrel, with the assistance of other Guild attorneys. The scope of these classes will be from the police station through appeal, and anyone seriously interested in practicing criminal law should plan to attend. The first class will be held on Friday, June 19, 1970, at 5:30 p.m., in the auditorium of the Ad Hoc Building, 5705 N. Woodward Avenue. Those law students and attorneys interested in attending should write or phone the Guild Office as soon as possible, furnishing their name, address and phone number. Since the class may have to be limited in size, we must know the number of persons interested. There will be no charge for the course, but participants may be asked to contribute the cost of materials distributed.

### NATIONAL EXECUTIVE BOARD MEETING - JUNE 12 - 14

The next National Executive Board meeting of the National Lawyers Guild will be held the weekend of June 12 - 14 in Berkley, California. On Friday morning, at 10:00 a.m., in Room 160, Boalt Hall (U. of California Law School), preceding the NEB the National Defense Committee will hold its first meeting. This meeting is open to those designated by each local chapter as their representatives to this Committee. The Detroit representatives are William Goodman, Hugh Davis, James Lafferty, Chuck Ravitz, Kenneth Cockrel and Marc Stickgold.

On Friday evening, a conference on court-room tactics will be held at the West Campus, 1222 University Avenue, Berkley, beginning at 8:00 p.m. On Saturday and Sunday, the NEB meetings will be held in the ASUC meeting room. Full details on the NEB meetings and Housing arrangements are available from the Guild Office, 871-1251, or the National Office, 212-227-1078. It is important that those members of the NEB who cannot attend this meeting notify the President, Marc Stickgold (875-3333), together with information as to whether a substitute will attend. Those persons presently not on the NEB or the National Defense Committee who are interested in becoming alternates should contact the Guild Office.

### ACTIVITIES

1. With all the student unrest in the past month, the Guild has been asked to handle or participate in between 950 - 1000 demonstration cases. We are responding as well as we can. Here is a summary.

a. In the Highland Park Community College strike arrest, the Federal removal petition has yet to be challenged. In addition, those cases which were not removed are being used as vehicles for a jury challenge. Motions have been filed and interviewing is proceeding in this joint NLG-WCNLS project. Kenneth Cockrel, Chuck Ravitz, Buck Davis, Tom Meyer, Mark Weiss, Mike Schuman, Steve Schlosser, Ed Bloom, Jim Short, et al.

b. At MSU, 130 people were arrested for trespass and loitering during a peaceful meeting discussing racism. The Guild is participating in some (and perhaps all) of the cases. Contemplated is a Federal affirmative suit attacking the statutes and the motivation for the arrests. Marc Stickgold, Bill Goodman, Buck Davis and Dick Oleksa (Lansing).



c. Bill Goodman and Bob Slameka responded to the 140 arrests at EMU by filing a Writ of Superintending Control in the Nature of an Habeas Corpus in order to require the Ypsilanti District Court to honor MCLA 780.66, the 10% misdemeanor bond statute. Cooperating in Ann Arbor are John Rose, Peter Steinberger, David Goldstein, et al.

d. The Office has been contacted with regard to helping with the more than 600 arrests which have arisen out of three separate instances at Ohio State U. We will help set up defense committees, devise strategy and provide research. The attorneys in Columbus are Ken Curtin, Ed Harter and Bill Boylan.

e. At NMU in Marquette, some of the highest racial tension in recent memory surrounded the trial and subsequent mistrial of seven black students on charges of disturbances and contention. Attorney Kent Bourland will submit a more complete report in a later issue.

f. Potential problems involving the FBI and false arrests at CMU have been referred to Mort Leitson.

g. Ohio University, Athens, Ohio: The Guild representatives on request to meet with a group of women at Ohio University, Athens, Ohio, presently charged with trespass and interfering with an officer for their attempt to peacefully attend a R.O.T.C. class at the University. The meeting discussed coordination of their defense, a possible federal affirmative suit, and the dire need for attorneys to represent them. Buck Davis, Marc Stickgold, Nancy Kahn and Ed Harter of Columbus, Ohio, are those who are already working on this case.

2. A very significant operation took place during the WSU Cambodian invasion strike, The Law School, under pressure from the Guild students and the allied Wolverine Bar students, allowed the Student Government room to be used as a legal defense center.

A course in legal first-aid was quickly given to the students; teams were formed to man the phones 24 hours a day; arrest sheets, constitutional rights leaflets and precinct, bond and arraignment information bulletins were distributed; and the WSU office (under the supervision of the Guild Office) became the legal information center for the entire city during that hectic week.

Scores of calls were handled generally involving high school suspension, leafletting harrassment, traffic and ordinance busts and misdemeanor and felony arrests. It would be difficult to overstate the diligence and professionalism with which the law students responded.

It was a heartening indication of the caliber of our future colleagues and a tribute to the ability of dedicated people to cooperatively perform necessary tasks in times of need.

3. During the period described above, the Office took in certain cases:

a. Two resisting and obstructing cases from the demonstration at the draft board in Royal Oak.

b. One disorderly person from that same action.

c. One assault case from the mass march and rally.

4. On the traffic court scene: Buck Davis, Bob Dinges and Steve Schlosser have been beating or getting suspended sentences on loitering (et al.) tickets passed out to Black Panthers and peace demonstrators by the Mod Squad and the TMU's.
5. Tom Meyer and Buck Davis spoke at Macomb Community College on war, racism, dissent and the judicial system.
6. Two cases were handled out of the down-river racial confrontations. A disturbance conviction is being appealed by Davis and Ravitz and a curfew violation has been transferred to juvenile court. In addition, the Guild Office has aided WCNLS attorney Craig Colby in filing a challenge to the legality of the curfews.
7. The highly publicized 90-day sentence given for flag desecration is being appealed in a joint ACLU-NLG effort which will include an attack on the statute. Davis and Sol Plafkin.
8. After the second worker death in a month, the Eldon Avenue Revolutionary Union Movement called for and caused sporadic work stoppages to protest safety conditions. There was one arrest and three firings. Assisting and observing were Davis, Meyer, Dave Sklare, Mike Adelman, Booker Gaulden, Ed Bloom, Ken Cockrel, Ron Reosti, Marc Stickgold and Ron Glotta.
9. In conjunction with the Michigan Commission Against Repression the Guild met with Mayor Gribbs and Commissioner Murphy to demand an end to the systematic harassment of the Panthers in Detroit. Documentation and demands were presented. More on this later. Davis, John Houston, Claudia Morcum.
10. There are two Panther assault cases arising out of a newspaper selling incident with the Mod Squad. Davis.
11. An interesting case of national significance is being handled by Abdeen Jabara with assistance from Ed Bloom. Mrs. W. E. DuBois has been denied entry into the United States by the Justice Department on McCarthy-ish grounds. There have been consultations with Leonard Boudin in New York, who is handling the same type matter for Ernest Mandel and Gisela Mandel.

#### FUNDING

The Office continues. The need continues.

PEACE AND JUSTICE



Detroit Chapter  
National Lawyers Guild

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NO. 4

JULY NEWSLETTER

A MONTH OF VICTORIES

1. Viera-Fuller

In one of the most significant and dramatic trials in recent Detroit and U.S. history, a jury of 10 blacks and two whites completely acquitted Clarence Fuller and Raphael Viera of all charges arising out of the notorious New Bethel shootings. In addition to providing the vehicle for a successful jury challenge, the trial was the last of the series in which Ken Cockrel's contempt citation was dropped and Alfred Hibbit was acquitted. The only remaining matter is Cockrel's State Bar Complaint. All Guild members are urged to contact the Guild office or Cockrel's office (567-0450) to inform themselves about this last matter.

An interesting sequel to the jury challenge is presently being played out. Neil Fink and Chuck Ravitz appeared before Judge George Crockett arguing on behalf of a prisoner in Jackson that his jury trial conviction must be reviewed because of the possibility of an illegally constituted jury. They further requested bond for the prisoner pending a determination of the mission records for that year and set bond. The prosecutor took the access order up on Superintending Control and applied to Justice Brennan of the Supreme Court for a reversal of Crockett's bond order. Ivan Barris argued the last matter and no bond issued.

It is clear that the Prosecutor's Office, which stipulated to a formula of 73% improper exclusions in the Viera-Fuller trial, is now unwilling to face the fact that more than 250 present black prisoners (and thousands in the past) have been convicted by improperly constituted juries. However, we shall continue to struggle against their intransigence.

2. Huey Newton's manslaughter conviction was overturned on trial instructions by the California Court of Appeals and he should soon be free on bond.

3. The case of two Black Panther newspaper salesmen accused of assaulting two black "Mod Squad" policemen was won before a jury

in Recorder's Court. George Bedrosian assisted by Buck Davis.

4. Sol Plafkin won a dismissal of the entire case on a motion for retrial of the young man who was given 90-days for flag desecration in a highly publicized case.

5. Mark Baron obtained the dismissal of a disorderly person charge arising out of the Royal Oak draft board demonstration.

6. In an effort which called upon numerous attorneys in both legal services and private practice, a three-judge federal panel held unconstitutionally vague and overbroad parts of the Michigan "Disturbance and Contention" statute, MCLA 750.170. The entire matter arose out of the Welfare Rights set-ins in the fall of 1969. Ravitz, Cockrel, Shel Otis, Alan Houseman, Bob Bartels, Bob Reed, Jim Short et al.

7. Two . . . letting disorderly person cases from Madison Heights were dismissed on appeal to the Oakland County Circuit Court. Davis.

8. Robert Slameka won the soliciting without a license case of an underground newspaper salesman.

9. Mack Gutman and Davis won the dismissal of two students charged with distributing literature within 300 feet of Northern High.

10. Mark Weiss, Bob Dinges and Buck Davis continue to handle Traffic Court cases for Black Panther newspaper salesmen with great success.

11. Ken Cockrel won a dismissal of the felonious assault case arising out of the Highland Park Community College Strike.

#### Stormy NEB Opens Membership

After a heated, day-long discussion in Berkeley, the National Executive Board of the Guild voted to recommend that all necessary steps be taken to put a constitutional amendment on the agenda at the next National Convention which would open membership in the Guild to all clerks, secretaries, investigators, etc. It further recommended that the individual chapters institute these membership policies immediately. The Detroit Chapter will discuss it at the next executive board meeting. Attend!

In another session, the new dues proposal referred from the NC was adopted. The new schedule is:

- \$15.00 per month for those who make over \$20,000 per year.
- \$10.00 per month for those who make over \$ 8,000 per year.
- \$ 5.00 per month for those who make under \$ 8,000 per year.
- \$ 2.00 per month for first year membership.
- \$ .50 per month for students and other Guild workers or  
or people on subsistence incomes.

Third, the NEB reaffirmed the Guild's emphasis on regional organizing. As a consequence, the areas in which the Guild hopes to establish chapters next are Chicago, Seattle, St. Louis, Minneapolis and Ohio. The Detroit Chapter has been given the responsibility for organizing in Ohio. Letters will be going out in the next few weeks to attorneys that we think might be interested. It is very important for any of our members who have contact with any attorneys in Ohio that they consider good prospective associates to inform us immediately so that they can be included in the mailing.

#### New Cases and Activities

1. The Dombrowski action for declaratory judgment and injunction of state prosecution has been filed in Federal Court on behalf of the MSU 132 and comes up for hearing in front of Noel Fox on July 21, 1970. Paul Rosen, Bill Goodman, Marc Stickgold, Jim Short. Davis has filed an appearance on behalf of 15 of the 132 in East Lansing.
2. The Highland Park jury challenge comes up for hearing on July 10, 1970. No response to the Federal removal has been filed.
3. In the continuing series of incidents involving the Detroit Police and the National Committee to Combat Fascism, Guild attorneys have picked up several cases in the last month.
  - a. Bill Goodman and William Bedrosian are handling two felonious assault charges arising out of an incident at Wayne State University.
  - b. Buck Davis is handling two carrying concealed weapons charges.
  - c. Milton Henry represents the two men charged with assault with content to commit murder arising out of the supposed "police ambush" plot of June 27 to 28.
  - d. Davis is handling the three men arrested later that night, "implicated" in the plot and charged with CCW.
4. The Guild has agreed to handle the cases of the 16 persons arrested in East Detroit when the police brutally broke up a

graduation party. 16 disorderly person, 1 assault, 1 felonious assault. Davis, Slameka, Mark Weiss, Baron, Schuman, Goodman et al. Volunteers gratefully accepted.

5. Fred Findling is handling the case of a couple whose home was illegally broken into and damaged by the repossession agents of a furniture company known for its "sharp practices in the black community."

#### The Detroit Law Collective and the Guild Office

Following the trend of establishing alternative forms of practice which is a burgeoning national phenomenon, a group of young attorneys and law students is going to rent a large house from which they plan to live, work, study and practice. As of this writing, it is anticipated that if it is found possible, the Detroit Guild Office would also move into this house.

We hope to by this move accomplish a number of things:

1. Establish closer working relations with interested young attorneys and students.
2. Have available a large work-study discussion area to involve more people in the WSU Guild Chapter and the Student Wolverine Bar Association.
3. Begin to develop those forms of practice which are more personal, less elitist, less professionalistic, less chauvinist and more democratic in line with the policies adopted at the recent NEB.
4. Provide a 24 hour a day watch on the Guild telephone.
5. Provide more security for the office than in its present location.
6. Enable us to undertake larger projects in a more coherent manner (eg: The National Defense of Lawyers Committee) than with the present one-man-in-the-office arrangement.

We are looking now for a place which would be suitable for these purposes. Guild attorneys who own properties or who have real estate clients should be on a special look-out for such a house (or 2-flat, 4-flat, etc.) and contact the Guild office.

#### Funding

Obviously, the need for funding continues at an increased, rather than abated, level. Please do the following things:

1. Determine if you have paid your dues partially or in full.

2. Determine if that amount meets your commitment under the new dues proposal.
3. Re-evaluate the pledge to the office which you made in the early months before it was a firmly established, on-going, full-scale operation.
4. Re-evaluate any change in personal circumstances which would allow you to increase your pledge.

We will be here, but we need you with us.

PEACE AND JUSTICE



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NO. 5

AUGUST NEWSLETTER

MORE POLICE PROBLEMS IN HIGHLAND PARK

On July 11th, the city of Highland Park erupted. At the height of the disturbances, 1000 people were in the street along a ten block area. Three stores were burned and scores of windows were broken. Police dispersed crowds with guns and tear gas.

Although the outbreak was touched off by the murder of a young Black man by a white bar owner, the thing on everyone's mind was the increasing brutality of the Highland Park Police Department. Only three months earlier a police officer had negligently fired a shot that killed a nine year old Black boy standing at the bus stop with his mother. The police had called it justifiable homicide. There have been several other incidents along Hamilton in recent months.

Guild and Legal Services attorneys arraigned 150 clients during the five days the disturbances continued. Six members of the National Committee to Combat Facism were arrested for Disorderly Person, "interfering with vehicular traffic by selling Black Panther newspapers." Jury trials have been demanded in a number of cases. In addition, Jerry Tauber, persident of the Wayne State University Guild Chapter was arrested when he walked into the police station to inquire about a prisoner. He was charged with dirorderly person (prowling in or about a police station). This marks the second arrest of a Guild attorney in recent months by Highland Park police.

Meanwhile, the jury challenge has been adjourned for the fifth time. Apparently the court fears that ruling in our favor will be an admission of racism. Ruling against us may tie up the Court on appeal for months. The Court is probably waiting until conclusion of both the August primary and the long hot summer.

TRAFFIC COURT ORDERED TO ALLOW 10% BOND DEPOSIT

The attempt by the Legislature of the State of Michigan to test a 10% deposit system for bail-bonds has been thwarted in its effectiveness because the various lower courts of the state have refused to recognize and implement the statute which requires that a 10% cash deposit be accepted by the clerk of the Court in a misdemeanor or traffic situation.

In a joint NLG - Legal Services effort, a Writ of Habeas Corpus was filed on behalf of a Recorders Court - Traffic Division defendant. Judge Farmer of the Circuit signed the Writ, but Traffic Court refused to honor it. Judge Farmer released the prisoner.

A Mandamus action was then filed on behalf of a second Traffic Court defendant against the Wayne County Sheriff. Judge Martin of the Circuit granted the action as to the named Plaintiff, but refused to accept it as a class action. The latter ruling is being appealed. The attorneys close to the case speculate that the combined political pressure of the bondsmen, the DPOA and the fact



that it is an election year for the judges and the sheriff is preventing this laudable statute which would clear the jails of persons unable to make bond on small charges from being implemented.

It is our understanding that similar challenges are being made in Flint, Ann Arbor and Pontiac.

Attornies are David Cooper, Bob Reed, Mark Baron, Alan Houseman, and John Urso. Ann Arbor attornies are Peter Steinberger and John Rose. The NLG Flint Chapter is involved and the Pontiac attornies are not known at this time.

#### GLANTON DOWELL RECEIVES ASYLUM IN SWEDEN

The National Lawyers Guild is in receipt of a note from the League of Revolutionary Black Workers thanking us for our efforts on behalf of Glanton Dowell, a member of the League and a well-known revolutionary artist, who fled the U.S. in 1968 while on probation from the 1966 "Kercheval Incident" and under a Federal conspiracy indictment. There had also been a number of attempts on his life.

Dowell is best known for his paintings. His Black Madonna hangs in Rev. Albert Cleage's Shrine of the Black Madonna. Dowell has only been granted "humanitarian asylum," reviewable after a year. His eventual goal is permanent political asylum.

#### COCKREL TAKES ON JOHNSON DEFENSE

On July 15, 1970 James Johnson, a worker at the Chrysler Corporation Eldon Avenue Plant, suffered his final indignity at the hands of company officers and union officials, by being suspended for insubordination for protesting his transfer from his regular job at which he was replaced by an employee with less seniority. A short while later he returned to the plant and shot three men, one of whom was the foreman who had suspended him.

Ken Cockrel has taken the case and it is anticipated that the inhuman conditions at the Eldon Plant, which has had three workers deaths in a year, will be explored in the testimony.

#### KUNSTLER TO TRY CIA CONSPIRACY 3

A Federal conspiracy case of major proportions will be tried in Detroit, perhaps in the fall or winter. William Kunstler, long time Guild attorney associated most recently with the Rap Brown case and facing over 4 years in prison from the Chicago Conspiracy Trial, has agreed to represent John Sinclair, Pun Plamondon and Jack Forrest against charges of a conspiracy to bomb the CIA office in Ann Arbor.

Although the indictments had long since been issued and John Sinclair was in custody serving a 9½ to 10 year sentence for possession of marijuana, the tempo increased with the capture in St. Ignace, Michigan of Pun (Lawrence) Plamondon who had been placed on the FBI's Ten Most Wanted list.

The Detroit Chapter will provide logistical and research support and Buck Davis may be local counsel. In addition, Kent Bourland of Hancock, Michigan (most recently noted for his defense of the NMU 7) has indicated an interest in the case of Skip Taube and Jack Forrest, charged with harboring a Federal fugitive.

Chuck Savitt is handling Sinclair's marijuana appeal. Shel Davis, Jim Lafferty and Abdeen Jabara have had previous connection with the conspiracy case.

#### FEDERAL GRAND JURY HANDS DOWN WEATHERMAN INDICTMENTS

The U.S. Attorney's office, spurred on by The Detroit News, has instituted that old witch-hunt tool, the Grand Jury investigation, against the Weatherman faction of SDS regarding the alleged "War Council" in Flint in December, 1969. Thirteen indictments have already been issued and the investigation continues.

Four of the thirteen are in custody and Guild representation thus far has been by the Law Commune and Hank DiSuvero's office in New York. There is no present idea of when the trial may be held, but consultations with local attorneys have begun and local representation and/or support may be required.

#### STATE GRAND JURY INVESTIGATION OF THE BLACK PANTHERS TO BEGIN

Not to be out-done by his Federal counterparts, Wayne County Prosecutor William Cahalan is cranking up the new toy recently given him by the Legislature for an investigation into the local National Committee to Combat Fascism (the organizing arm of the Black Panther Party).

Subpoenas for the middle of August have already issued to a few persons, but the length and scope of the investigation is not known. This may become a long and arduous struggle and local Guild attorneys who can help are urgently solicited.

In addition to the above, there have been more than 30 incidents involving the police and the National Committee to Combat Facism in the past month. Most of these incidents have resulted in substantive offences. Over and above Traffic Court matters, the Guild has taken on the following cases.

- a. Three persons charged with resisting and obstructing are being handled by Jim Lafferty and Larry Burgess.
- b. Two assault and battery defendants are represented by Tom Meyer.
- c. Davis is representing a Cleveland NCCF member arrested in Taylor for allegedly carrying a concealed weapon.
- d. Meyer also has a CCW case.

#### YOUTH AND POLICE CLASH AT BALDUCK PARK

On July 28 and 29, after a week of harrassment and early closings, the police charged into a crowd of several hundred white youths to close Balduck Park on Detroit's far east side. The result was nearly

one hundred loitering tickets and seven arrests for felonious assault. Several young people were severely injured and beatings at the 15th Precinct were common.

A People's Defense Committee was formed and Tom Meyer is handling the matter for the Guild. Two hearings have been held before Common Council and Police Commissioner Murphy has promised action against any police who might have exceeded their authority.

By negotiation, four of the seven felony charges were dropped and two were reduced to misdemeanors. Meyer also appeared on Haney's People on Channel 7 to discuss the case.

Another Guild attorney, Dave Dickinson, is handling the civil case of a young man injured by the police.

#### LAW CENTER PLANS GO FORWARD

As reported in the July Newsletter, it is hoped that in the fall the Guild will be able to purchase a home in which both the office and young Guild members can be housed. At the present time, two Guild students are purchasing a house which should be able to serve that purpose.

Because the transaction is still being conducted, it is impossible to give more concrete details at this time. However, by September we hope to have people moving in. Therefore, if Guild members have home furniture which is still capable of service, but which they no longer need, please contact the Guild office. We will take care of all moving.

#### CASES DISPOSED OF

Reports of trials have been sketchy this month, however, in two separate trials handled by Davis, persons charged with assaulting police officers at peace demonstrations were acquitted.

PEACE AND JUSTICE