

Wildcat of the Streets: Race, Class and the Punitive Turn in 1970s Detroit

by

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Matthew Lassiter

Dissertation submitted in partial fulfillment of  
the requirements for the degree of Doctor  
of Philosophy in the Department of  
History in the Graduate School  
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2015

ABSTRACT

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## **Abstract**

This dissertation is a history of the city of Detroit in the 1970s. Using archives official and unofficial - oral histories and archived document collections, self-published memoirs and legal documents, personal papers and the newspapers of the radical press – it portrays a city in flux. It was in the 1970s that the urban crisis in the cities of the United States crested. Detroit, as had been the case throughout the twentieth century, was at the forefront of these changes. This dissertation demonstrates the local social, political, economic and legislative circumstances that contributed to the dramatic increase in prison populations since the 1970s. In the streets, unemployed African American youth organized themselves to counteract the contracted social distribution allocated to them under rapidly changing economic circumstances. They organized themselves for creative expression, protection and solidarity in a hostile city, and to pursue economic endeavors in the informal economy. They sometimes committed crimes. In the courts, Wayne County Juvenile Court Judge James Lincoln, a liberal Democrat long allied with New Deal political alliances, became disenchanted with rehabilitative solutions to juvenile delinquency and embraced more punitive measures, namely incarceration. In city hall, Coleman Young, the city's first African American mayor, confronted this crisis with a form of policing that concentrated predominately on the city's unemployed African American youth, and the result was the criminalization of poverty, youth, and race we have come to understand as mass incarceration.

## **Dedication**

For Libby. "After the ecstasy, the laundry."

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## Acknowledgements

This project began at a bookstore on the corner of Cass and Warren in Detroit, Michigan. It was there that I came across a curious book called *Y.B.I. (Young Boys Incorporated)*. It is an astonishing book, and it has been my honor to take it seriously as an object of historical inquiry.

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My intellectual journey has taken me all over the world, from Chicago's federal archives to Duke University, and from Dublin to Munich. But it all started on that corner in Detroit. That's also where I met Libby Cole, the girl who would become my wife. She encouraged me to make our city the object of my study. She believed in my vision and supported me in every way as I pursued it. Without her, none of this.

To a new day.

## Introduction

“Heat, humidity, and unemployment stalked the Motor City.”<sup>1</sup>

So began one account of a 1975 disturbance on Livernois Avenue on Detroit’s near northwest side set in motion when Obie Wynn, an African American teenager, was shot and killed under questionable circumstances by a white bar owner named Andrew Chinarian. The incident was the first significant test of new mayor Coleman Young’s so-called “law and order, with justice” approach to policing. This approach sought to reform racially biased police practices while at the same time maintaining order in the city, in part by including community members in policing efforts. It was a central part of Young’s election as Detroit’s first African American mayor. The second night of the disturbance, Young climbed atop a car the crowd had used as a battering ram to gain entry to Chinarian’s bar. He addressed the crowd, expressing sympathy with its anger: “The court did us no favor by setting a \$500 bond,” Young reportedly said. “It’s the same bond you get for loitering — and here this guy killed a man.”<sup>2</sup> One youthful member of the crowd retorted, “Burn that bar down and we’ll go home.”<sup>3</sup> When Young refused, someone threw a brick at him, which nearly caused police officers to intervene.<sup>4</sup>

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<sup>1</sup> Clark Hallas, Michael Wendland, Norman Sinclair, Michael Wowk, Pat Murphy, and David Ashenfelter, “3 Tense Nights - A Chronology,” *Detroit News*, July 31, 1975.

<sup>2</sup> Dave Anderson and Remer Tyson, “Young Goes to the People to Defuse a Street Crisis,” *Detroit Free Press*, July 30, 1975.

<sup>3</sup> Clark Hallas, Michael Wendland, Norman Sinclair, Michael Wowk, Pat Murphy, David Ashenfelter, “Three Tense Nights — A Chronology,” *Detroit News*, July 31, 1975.

<sup>4</sup> Jim Neubacher and Remer Tyson, “Luck and Strategy Saved City from Riot,” *Detroit Free Press*, August 3, 1975.

Young waved the officers away, and soon left. Where personal charisma failed, a rapidly integrating police force made up of men and women working in concert with community members organized through the city's civil rights networks, proved more successful. After three nights, the disturbance had been contained.

Young considered the relatively limited extent of its damages a vindication of the police reforms he instituted following his 1973 election. But its significance could not be reduced to a self-serving sound bite. The disturbance had one casualty — Marian Pyszko, a Polish immigrant who worked nights at a candy factory in the city. Pyszko was killed by a group of young African American men with a piece of concrete culled from a wall surrounding a nearby Burger King parking lot. The over one hundred people arrested in the aftermath, the treatment of the so-called "Livernois Five" who endured three separate trials and nearly a year of confinement in the county jail, and their eventual acquittal due in large part to police misconduct, suggest that Young's police reforms had little effect on the relationship the city's poor and working class youth had to its police and prisons.

Raymond Peoples was one of the Livernois Five. He wrote a letter from jail nine months after the Livernois disturbance ended that denounced his experience of Young's police and prisons. "I'm quite sure we are all aware of Coleman Young's position in our society," Peoples wrote. "He personally spoke on the second day of this disturbance, and claimed he would see justice done in behalf [*sic*] of the racist killing of Obie Wynn.

But has there been? No!”<sup>5</sup> Peoples grew up less than a mile from Chinarian’s bar. Like Wynn, Peoples was unemployed in July 1975. He had been laid off during the 1973-74 recession from his job at the Dearborn Iron Foundry in Ford’s River Rouge complex, where he was a member of UAW Local 600.<sup>6</sup> He also participated in the melee following Wynn’s shooting, and was arrested in the aftermath. Peoples, along with James Henderson, Ronald Jordan, George Young, and Douglas Lane — the Livernois Five — was charged with the murder of Marian Pyszko. Though Lane and Young, as juveniles, eventually had their charges dropped, Peoples, Henderson and Jordan were each held for eleven months in the notoriously dilapidated Wayne County Jail, as the state of Michigan tried not twice but three times to convict them in Pyszko’s death. The numerous attempts to convict the Livernois Five, combined with the prosecution’s insistence on trying them collectively, suggested that the case held significant symbolic importance for the urban regime Young’s election inaugurated. “These trials,” their lawyers and others told the press when the Livernois Five were finally acquitted, “were a final attempt to hang responsibility for all that happened those three nights on these three men.”<sup>7</sup> The experience of the Livernois Five underscored the importance of the courts to that regime.

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<sup>5</sup> “Livernois Five Speak Out,” *The Torch / La Antorcha*, vol. 3, no. 4, April 15 to May 14, 1976.

<sup>6</sup> Mike Ermler, phone interview by author, January 24, 2011.

<sup>7</sup> “Livernois Slaying Suspects Acquitted,” *Detroit Free Press*, June 19, 1976.

“Rebellion has come of age” was how James Lincoln summarized his seventeen years — from 1960 to 1977 — as Wayne County Juvenile Judge.<sup>8</sup> During that span, he presided as sole judge over one of the largest juvenile courts in the nation — handling almost one percent of all delinquency and neglect cases in the country — for most of that span.<sup>9</sup> He witnessed from the bench the city’s epochal 1967 urban disorder — a “riot” according to journalists and policymakers — as well as the turbulent 1970s. Lincoln also shaped juvenile justice policy, serving as President of the National Council of Juvenile Court Judges in 1971, and speaking frequently to the Detroit City Council regarding reforms to the city’s legislation.

Lincoln adhered to a version of liberal law and order with roots in the immediate postwar period. As the Cold War began, incidents of racial injustice in the nation’s streets and courthouses constituted a growing source of embarrassment to the United States. Liberal law and order sought to curtail both of these abuses, restricting racial bias among judges while prosecuting acts of white racial violence in the streets. All to secure the “right to safety and security of the person” in pursuit of racial equality — what political scientist Naomi Murakawa has called “the first civil right.”<sup>10</sup> Liberal law and order introduced procedural changes into the criminal justice system that attempted to

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<sup>8</sup> James Lincoln to George Arthur Lincoln, April 2, 1973, in folder “Probate Court Correspondence, 1970-1975,” Box 3, James H. Lincoln Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI, hereafter JHLP.

<sup>9</sup> James H. Lincoln, “Remember the Good as Well the Bad,” *Juvenile Court Judges Journal* 22 (1971), 26.

<sup>10</sup> Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014), 2-3.

make its functioning more rights laden. As a juvenile court judge, Lincoln introduced formal guidelines for police to follow when making juvenile arrests, seeking to constrain the mistreatment of juveniles at a time when the racial valence of juvenile delinquency was changing, and the civil rights movement had gotten under way.<sup>11</sup> But these efforts served not to undermine but rather strengthen the functioning of the carceral state — the criminal justice system and its attendant institutions, policies, and personnel.<sup>12</sup> And though Lincoln dismissed the charges against two of the five Livernois defendants due to lack of evidence, by the end of the 1970s, faced with the ongoing unrest that Raymond Peoples and his cohort of unemployed youth continued to cause in the city, he had embraced the punitive — as opposed to rehabilitative — side of liberal law and order. Juveniles in the 1970s, Lincoln decided, were beyond rehabilitation.

A history of Detroit in the 1970s, this dissertation examines the struggles to determine the rights Raymond Peoples and the Livernois Five had as citizens and residents of the city, struggles waged by Coleman Young in the halls of government, James Lincoln in the courtroom, and Raymond Peoples and a generation of precarious youth in the streets. “Wildcat of the Streets: Race, Class and the Punitive Turn in 1970s Detroit” examines these three arenas in order to locate the causes of the emergence of

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<sup>11</sup> Memorandum, July 18, 1963, Notebook III, Box 6, JHLP.

<sup>12</sup> My definition of the carceral state derives from Murakawa’s own detailed description. See Murakawa, 213n9. See also Jonathan Simon, *Governing Through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear* (Oxford: Oxford University Press, 2007).

mass incarceration in the social upheavals of a city in the throes of urban crisis.<sup>13</sup> The urban crisis that crested in the 1970s emerged as a result of the deindustrialization and suburbanization that began after World War II.<sup>14</sup> But in the 1970s, that crisis converged

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<sup>13</sup> For histories of the emergence of mass incarceration in the latter half of the twentieth century, see Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010); Marie Gottschalk, *The Prison and the Gallows: The Politics of Mass Incarceration in America* (Cambridge: Cambridge University Press, 2006); Christian Parenti, *Lockdown America: Police and Prisons in the Age of Crisis* (London; New York: Verso, 1999); Heather Thompson, "Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History," *Journal of American History* 97, no. 3 (December 2010): 703–34. Scholars divide into roughly two with regard to the emergence of the right wing resurgence since the 1970s. Proponents of a "backlash" perspective argue that the process was driven from the grassroots, with white voters becoming disillusioned with the civil rights and Black Power era embracing the Republican Party. See Thomas Byrne Edsall and Mary D. Edsall, *Chain Reaction: The Impact of Race, Rights, and Taxes on American Politics* (New York: Norton, 1991); Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism, and the Transformation of American Politics* (Baton Rouge: Louisiana State University Press, 2000); Michael W. Flamm, *Law and Order: Street Crime, Civil Unrest, and the Crisis of Liberalism in the 1960s* (New York: Columbia University Press, 2005); Bruce J. Schulman and Julian E. Zelizer, *Rightward Bound: Making America Conservative in the 1970s* (Cambridge, Mass.: Harvard University Press, 2008); Bruce Western, *Punishment and Inequality in America* (New York: Russell Sage Foundation Publications, 2007). Other scholars posit an elite-driven "frontlash" perspective that shifts responsibility to Republican politicians using crime to shift electoral demographics in their own favor. For this approach, see Vesla M. Weaver, "Frontlash: Race and the Development of Punitive Crime Policy," *Studies in American Political Development* 21, no. 2 (Fall 2007): 230–65; as well as Alexander, *The New Jim Crow* and Heather Thompson, "Why Mass Incarceration Matters." Other scholars have noted the confluence of the social strictures that combined the War on Poverty and War on Crime. See Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham, NC: Duke University Press, 2009); Frances Fox Piven and Richard Cloward, *Regulating the Poor: The Functions of Public Welfare*, Updated ed. (New York: Vintage Books, 1993); and Elizabeth Hinton, "'A War Within Our Own Boundaries': Lyndon Johnson's Great Society and the Rise of the Carceral State," *Journal of American History*, forthcoming (Summer 2015).

<sup>14</sup> Notable histories of Detroit in the postwar period include Dan Georgakas and Marvin Surkin, *Detroit: I Do Mind Dying: A Study in Urban Revolution*, rev. ed. (Boston: South End Press, 1999); James A. Geschwender, *Class, Race, and Worker Insurgency: The League of Revolutionary Black Workers* (Cambridge: Cambridge University Press, 1977); Sidney Fine, *Violence in the Model City the Cavanagh Administration, Race Relations, and the Detroit Riot of 1967*, rev. ed. (East Lansing: Michigan State University Press, 2007); Jeffrey Mirel, *The Rise and Fall of an Urban School System: Detroit, 1907-81* (Ann Arbor: University of Michigan Press, 1993); Thomas Sugrue, *The Origins of the Urban Crisis: Race & Inequality in Postwar Detroit* (Princeton: Princeton University Press, 1996); June Manning Thomas, *Redevelopment and Race: Planning a Finer City in Postwar Detroit* (Baltimore: Johns Hopkins University Press, 1997); Suzanne E. Smith, *Dancing in the Street: Motown and the Cultural Politics of Detroit* (Cambridge, Mass.: Harvard University Press, 1999); Heather Ann Thompson, *Whose Detroit? Politics, Labor, and Race in a Modern American City* (Ithaca: Cornell University Press, 2001); David Freund, *Colored Property: State Policy and White Racial Politics in Suburban America* (Chicago: University of Chicago Press, 2007); Beth Tompkins Bates, *The Making of Black Detroit in the Age of Henry Ford*

with a series of ongoing developments in U.S. history, including the emergence of black political power in major municipalities across the country, changing liberal approaches to criminal justice, and the criminalization of the black community, in particular its youth, to create something historically new: The unprecedented mass incarceration of over two million people in the United States. “Wildcat of the Streets” demonstrates that the origins of mass incarceration can be found in the unique convergence of these three trends in the particularities of urban space and politics in 1970s Detroit.<sup>15</sup> This convergence in Detroit differed in degree but not in kind from that in many other deindustrializing and racially segregated cities across the country governed in the 1970s by recently elected African American officials, including Newark and Los Angeles.<sup>16</sup>

The 1970s stand as a turning point in the economic history of Detroit and, by extension, the world. If labor historian Marcel van der Linden is correct that it was only with the advent of industrial unionism in the 1930s that a “standard employment

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(Chapel Hill: University of North Carolina Press, 2012)

<sup>15</sup> For historical accounts of the 1970s, see Peter Carroll, *It Seemed Like Nothing Happened: The Tragedy and Promise of America in the 1970s* (New York, N.Y.: Holt, Rinehart and Winston, 1982); David Frum, *How We Got Here: The 70's, the Decade That Brought You Modern Life (for Better or Worse)* (New York, NY: Basic Books, 2000); Bruce J. Schulman, *The Seventies: The Great Shift in American Culture, Society, and Politics* (New York: Free Press, 2001); Edward D Berkowitz, *Something Happened: A Political and Cultural Overview of the Seventies* (New York: Columbia University Press, 2006); Joseph Crespino, *In Search of Another Country: Mississippi and the Conservative Counterrevolution, Politics and Society in Twentieth-Century America* (Princeton, N.J.: Princeton University Press, 2007); Laura Kalman, *Right Star Rising: A New Politics, 1974-1980* (New York: W.W. Norton, 2010); Dan Berger, *The Hidden 1970s: Histories of Radicalism* (Rutgers University Press, 2010); Jefferson Cowie, *Stayin' Alive: The 1970s and the Last Days of the Working Class* (New York: The New Press, 2010).

<sup>16</sup> See Mike Davis, *City of Quartz : Excavating the Future in Los Angeles*, New ed. (London: Verso, 2006); Komozi Woodard, *A Nation Within a Nation: Amiri Baraka (LeRoi Jones) & Black Power Politics* (Chapel Hill: University of North Carolina Press, 1999).

relationship” was created — characterized by continuous, stable employment; a full-time position with one employer at that employer’s place of business; an income capable of supporting a small family without falling into poverty; legal rights to protection, participation and even codetermination at the workplace; and social insurance benefits generally tied to length of employment — then it was in Detroit that it was destroyed first.<sup>17</sup> The region’s auto companies felt the “shock of the global” at the beginning of the 1970s, as they encountered international manufacturing competition from the revitalized economies of Germany and Japan and the epochal energy crisis in 1973.<sup>18</sup> These developments were joined by less temporally proximate causes, chief among them the automation of production processes and the relocation of the city’s manufacturing facilities from the city center to the suburbs and points south.<sup>19</sup>

The 1970s were the moment when the economic relocation begun shortly after World War II in response to national security fears, employers’ desire to escape unionization, and Republican coalition building efforts outside the northeast and

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<sup>17</sup> Marcel van der Linden, “San Precario: A New Inspiration for Labor Historians,” *Labor* 11, no. 1 (March 20, 2014): 9–21. For additional examinations of precarious labor and informal economies, see Kevin Doogan, *New Capitalism?: The Transformation of Work* (Cambridge, UK ; Malden, MA: Polity, 2009) and Guy Standing, *The Precariat: The New Dangerous Class* (New York: Bloomsbury Academic, 2011).

<sup>18</sup> For labor and economic histories of the 1970s, see Aaron Brenner, Robert Brenner, and Cal Winslow, *Rebel Rank and File: Labor Militancy and Revolt from Below During the Long 1970s* (London: Verso, 2010); Niall Ferguson et al., eds., *The Shock of the Global : The 1970s in Perspective* (Cambridge: Belknap Press of Harvard University Press, 2010); Judith Stein, *Pivotal Decade: How the United States Traded Factories for Finance in the Seventies* (New Haven, Conn.: Yale University Press, 2010).

<sup>19</sup> Sugrue, 130-38. See also Bruce J. Schulman, *From Cotton Belt to Sunbelt: Federal Policy, Economic Development, and the Transformation of the South 1938–1980* (Duke University Press, 1994) and Jefferson Cowie, *Capital Moves: RCA’s Seventy-Year Quest for Cheap Labor* (Ithaca, NY: Cornell University Press, 1999).

Midwest, began to have their social and political effects. Chief among them in Detroit was an overall decrease in the number of blue-collar jobs, and a transfer of those that remained to the suburbs. This transfer broke up massive factories by outsourcing parts production, often the most highly skilled processes, with arguably the factory's most militant and organized workers.<sup>20</sup>

Automation took its toll from the region's unskilled workforce after 1970 as well. From 1950 to 1970, unskilled manufacturing employment, as machine operators or laborers, declined by nearly 40,000 positions. Just 22 percent of these employees had high school diplomas, but they earned a stable income in the city's factories. Moreover, African American men had increased their share of these positions, from 39,000 in 1950 to 53,000 in 1970. After 1970, however, the decline in blue-collar employment in metro Detroit was precipitous. From a total of 214,000 blue collar jobs in 1950, and a respectable 178,000 in 1970, that number had dwindled to 104,000 by 1990, and African Americans held just 22,000 of those jobs, well below even the number they held in 1950.

The start of the 1970s also marked a downturn in employment prospects for African American men in the region from which they have never recovered. While African American employment never reached parity with that of whites, the years from 1940 to 1970 saw significant improvements. In 1950, among adults ages twenty-five to

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<sup>20</sup> For an analysis of militancy tied to skilled positions, and the fragmentation of automobile factories in response, see James Zetka, *Militancy, Market Dynamics, and Workplace Authority: The Struggle Over Labor Process Outcomes in the U.S. Automobile Industry, 1946 to 1973* (Albany, NY: State University of New York Press, 1995), 55-58 and *passim*.

sixty-four, 84 percent of black men were employed, compared to 92 percent of white men.<sup>21</sup> This was the closest to parity the two populations reached. Since 1970, the proportion of African American men in Detroit employed at any given time has never reached higher than 65 percent.

The 1970s also saw the rise of the financial sector of the U.S. economy, with important consequences for Detroit. While the number of blue-collar jobs in the region declined, overall employment more than doubled in the period from 1940 to 1990.<sup>22</sup> But the benefits accrued to relatively skilled workers. While demand for professionals and managers in the region doubled between 1940 and 1990, the need for unskilled labor plummeted.<sup>23</sup> This reflected the financialization that the U.S. economy had undergone since 1970. General Motors, for example, created a financial unit — the General Motors Acceptance Corporation, or GMAC — in order to facilitate consumer purchasers of its manufacturing products.<sup>24</sup> The practice was a popular trend in the 1970s, and numerous firms like GM that initially specialized in manufacturing durable goods created their own financial units at this time. Some, like General Electric, saw those financial units overtake the profitability of the manufacturing or retailing that defined the firm's

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<sup>21</sup> Reynolds Farley, Sheldon Danziger, and Harry Holzer, *Detroit Divided* (New York: Russell Sage Foundation, 2000), 71-76.

<sup>22</sup> Farley, 55.

<sup>23</sup> *Ibid.*, 9

<sup>24</sup> Greta Krippner, *Capitalizing on Crisis: The Political Origins of the Rise of Finance* (Cambridge: Harvard University Press, 2011), 27-57. Danny Hakim, "Detroit Profits Most from Loans, Not Cars," *New York Times*, July 22, 2004.

identity. While auto companies headquartered in Detroit sent blue collar manufacturing jobs across the globe in search of lower production costs, the financialization of those companies may have contributed to the re-distribution of job categories in Detroit. From 1950 to 1970, the number of automobile manufacturing jobs in metropolitan Detroit declined by a percentage point, while employment in the finance, insurance, and real estate sector doubled. Between 1970 and 1990, automobile manufacturing employment declined by 27 percent in the metro Detroit region, and other manufacturing saw a nine percent decrease. Finance, insurance, and real estate employment rose another 67 percent in this period.<sup>25</sup>

Financialization, automation, decentralization, and the frequent shocks of a global economy contributed to the emergence in the 1970s of the interrelated phenomena of precarious work and informal economies. The category of precarious work grew from the husk of the standard employment relationship Detroit contributed so much to creating in the United States in the twentieth century. In place of continuous, stable employment and full-time positions granting union rights and wages, and access to social insurance, Detroit witnessed the rise of temporary, casual and part-time labor, in gas stations, car washes, or fast food restaurants — an informal economy to replace the formal one that had fled across the city's borders. This coincided with a dramatic increase in unemployment. The number of adult black men who reported not working

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<sup>25</sup> Farley, 60.

at all in the previous year increased from four percent in 1949 to 28 percent in 1989.<sup>26</sup>

Meanwhile, the percentage of African American men aged 18 to 24 not enrolled in school or in the labor force also increased dramatically in this period, from just over four percent in 1940 to nearly 18 percent in 1990.<sup>27</sup>

### ***The Wildcat of the Streets: Organizing Among Detroit's Unemployed Working Class***

Wildcat strikes in workplaces across the United States in the 1970s intersected with these momentous economic changes to culminate in what one observer called, "the most sustained period of wildcat strikes in history."<sup>28</sup> At the time, workers rebelled in staggering numbers against a workplace discipline demanded by both the company and the union bureaucracy.<sup>29</sup> In the process, they experimented with forms of organization on the job to address issues that drawn-out grievance procedures and set-piece demonstrations organized by union heads left unsatisfied. In this context, the wildcat strike – a strike not authorized by the terms of most contracts, a strike disavowed and sometimes physically attacked by union officials, a strike often made illegal through court injunctions – was the central means through which workers fought back. The

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<sup>26</sup> Farley, 54.

<sup>27</sup> *Ibid.*, 103-4.

<sup>28</sup> Loren Goldner, "Fictitious Capital for Beginners: Imperialism, 'Anti-Imperialism,' and the Continuing Relevance of Rosa Luxemburg," *Mute Magazine*, <http://www.metamute.org/en/Fictitious-Capital-For-Beginners> (accessed September 5, 2010).

<sup>29</sup> For a brief survey of labor militancy in the 1970s, see Cal Winslow, "Overview: The Rebellion from Below, 1965-1981," in Aaron Brenner, Robert Brenner and Cal Winslow, eds., *Rebel Rank and File: Labor Militancy and Revolt from Below During the Long 1970s* (London: Verso, 2010), 1-35.

wildcat strike was an affront both to company and union, at a time when people everywhere were becoming disillusioned with forms of social organization by no means democratic, transparent, or trustworthy.

These wildcat sentiments did not confine themselves to the shop floor. They spilled over into communities ravaged by deindustrialization, unemployment, and crime, where they found resonance among unemployed African American youth. These young people organized themselves into what many referred to as gangs but what might more appropriately be called informal work groups.<sup>30</sup> The way the streets organized themselves, gangs served as the informal work groups of the informal economy. Like factory workers engaged in wildcat strikes, young people in Detroit had long organized themselves informally. In the 1950s and 1960s, they organized ad hoc associations in response to white racial violence in rapidly integrating neighborhoods.<sup>31</sup> In the 1970s, they adapted these associations to other purposes. These included protection as they circulated about the city, an outlet for creative expression, and even a sense of belonging in a city from which they felt estranged. These groups served as young people's response to the alienation the city foisted on them.

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<sup>30</sup> For a discussion of informal work groups in the context of waged work, see the essay, "The Informal Work Group," in Stan Weir, *Singlejack Solidarity* (Minneapolis: University of Minnesota Press, 2004), 235-55.

<sup>31</sup> For related developments in Chicago and Los Angeles, see Andrew Diamond, *Mean Streets : Chicago Youths and the Everyday Struggle for Empowerment in the Multiracial City, 1908-1969* (Berkeley: University of California Press, 2009); Mike Davis, *City of Quartz : Excavating the Future in Los Angeles*, New ed. (London: Verso, 2006); Victoria W. Wolcott, "Recreation and Race in the Postwar City: Buffalo's 1956 Crystal Beach Riot," *Journal of American History* 93, no. 1 (June 2006): 63–90.

But unemployed people are part of the working class, not some culturally distinct underclass.<sup>32</sup> These associations also served economic purposes: Young people used them to commit crimes. At times, these were crimes of conspicuous consumption: They stole expensive hats and shoes. At others, these crimes were a form of social reproduction that accounted for the contraction of the city's industrial economy. They were a supplement to a social wage to which young people felt entitled but could no longer access. Bonded by a shared experience in educational institutions and the streets, motivated by a desire to attain what seemed available to anyone, the "gangs" young people organized themselves into were also a form of informal work group with distinctive social and economic purposes. These groups were the motivating force that drove the Livernois disturbance, an early expression of a "wildcat of the streets" that emerged in Detroit in the 1970s – a series of high-profile public disturbances, low-level street crime, and other participation in the city's informal economy. As access to the formal economy constricted, young people became small-scale entrepreneurs, carrying out various "hustles" in the informal economy through democratically inflected

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<sup>32</sup> For a detailed analysis of what has been called an urban "underclass," arguing that it is actually part of the working class, see John Arena, "Bringing In the Black Working Class: The Black Urban Regime Strategy," *Science and Society* 75, no. 2 (April 2011): 153–79. For additional literature on the "underclass," see Michael B. Katz, ed., *The "Underclass" Debate: Views from History* (Princeton: Princeton University Press, 1993); William J. Wilson, *The Declining Significance of Race: Blacks and Changing American Institutions* (Chicago: University of Chicago Press, 1978); William J. Wilson, *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy* (Chicago: University of Chicago Press, 1987); Elijah Anderson, *Streetwise: Race, Class, and Change in an Urban Community* (Chicago: University of Chicago Press, 1990); Douglas S. Massey and Nancy A. Denton, *American Apartheid: Segregation and the Making of the Underclass* (Cambridge: Harvard University Press, 1993); Robin D. G. Kelley, *Yo' Mama's Disfunktional!: Fighting the Culture Wars in Urban America* (Boston: Beacon Press, 1997).

informal work groups. Chapter Three describes this process. The wildcat of the streets corresponded to an analogous movement among factory workers in Detroit in the 1970s, and implied a related distance that had emerged between working class people and the organizations they had created but no longer controlled.

Whereas Coleman Young's election as Detroit's first African American mayor represented a culmination of the power and influence of the labor and civil rights movements, Raymond Peoples and the Livernois Five represented something different. The Livernois disturbance was one instance of the wildcat of the streets that percolated amid informal work groups made up of young workers laid off temporarily and permanently, workers unemployed and unemployable, people who faced never working for a wage, and some people who would kill and die rather than work a nine-to-five job. As unemployed workers, gang members, or affiliates of informal work groups, their rebellion revealed the wide divide separating them from Young and the civil rights establishment. Theirs was a wildcat of the streets.

Like workers across the country who embraced the wildcat as the last form of resistance left to them by a union-sanctioned grievance procedure that did little to address their concerns, the wildcat of the streets unsettled not just capitalism and its proponents such as Henry Ford II and the Renaissance Center skyscraper development project Ford envisioned as the centerpiece of a downtown revitalization. Again and again, these groups destabilized the police order Young sought to impose on the city

following his election. The wildcat of the streets disrupted the relationship between these young people and the organizations, created through mass struggle, that now occupied the halls of power, while they, the unorganized, unemployed, and largely anonymous black youth, remained subject to the power of the state in the streets.

### ***“Law and Order, with Justice”: Policing Race and Class in 1970s Detroit***

Though its motive force was by no means a political impulse, the wildcat of the streets achieved significant political effects in the 1970s. Class politics within the African American community sharpened with the emergence of what political scientist Adolph Reed has called “black urban regimes” – African American governance in majority or near-majority non-white municipalities.<sup>33</sup> Coleman Young and the adherents of the urban regime he stood at the center of saw the wildcat of the streets as a challenge that undermined their mandate to govern the city in the 1970s. “Because of crime,” Claud Young, head of the Detroit chapter of the Southern Christian Leadership Conference, remarked after a mass robbery downtown a year after the Livernois disturbance, “the

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<sup>33</sup> The term “black urban regime” is perhaps most closely associated with Adolph Reed but urban studies scholars have in recent years employed its conceptual framework to useful effect. See Adolph L. Reed, “The Black Urban Regime: Structural Origins and Constraints,” *Stirrings in the Jug: Black Politics in the Post-Segregation Era* (University of Minnesota Press, 1999), 79-115; William Sites, *Remaking New York: Primitive Globalization and the Politics of Urban Community* (Minneapolis: University of Minnesota Press, 2003); Touré Reed, *Not Alms but Opportunity: The Urban League & the Politics of Racial Uplift, 1910 - 1950* (Chapel Hill, NC: University of North Carolina Press, 2008); Tomiko Brown-Nagin, *Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement* (Oxford ; New York: Oxford University Press, 2011); Preston H. Smith, *Racial Democracy and the Black Metropolis: Housing Policy in Postwar Chicago* (Minneapolis: University of Minnesota Press, 2012); John Arena, *Driven from New Orleans: How Nonprofits Betray Public Housing and Promote Privatization* (Minneapolis: University of Minnesota Press, 2012).

advantages we did win in the civil rights struggles of the 1960s have been practically erased.”<sup>34</sup>

Critical to the stability of Young’s urban regime was policing. In a city riven by conflict between the black community and a mostly white police department, Young promised “law and order, with justice” in his 1973 election campaign, hoping what had failed for Hubert Humphrey in his 1968 presidential bid yet held some promise for himself. This approach made African American victims of police brutality and black perpetrators of street crime its focus, offering “justice” to the former and “law and order” to the latter.

The prospect of a reformed police department yet able to maintain order was an appealing one for a city in which scars from the 1967 upheaval remained visible, and one a black candidate of Young’s accomplishments seemed uniquely poised to achieve. In a racially-divided election, Young triumphed over a quintessential law-and-order candidate – former police commissioner John Nichols. His inauguration festivities bolstered an optimistic assessment of his law-and-order bona fides. These included Young’s infamous pronouncement for criminals in “Superfly suits” as well as “silver badges” to “beat it” across Eight Mile Road, the well-known border between the city

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<sup>34</sup> Theasa Tuohy, “Coalition Is Taking Aim At Crime; Blacks See Rights Gains Lost to Thugs,” *Detroit News*, August 12, 1976.

and its northern suburbs.<sup>35</sup> Damon Keith, himself an important African American civil rights leader then serving as a U.S. District Court judge in Michigan, began the inaugural celebration by issuing a “challenge” to Young to “lead a revolt of the people of this community for justice and against crime.”<sup>36</sup> *Detroit Free Press* journalist Remer Tyson bestowed an optimistic note on the proceedings when he observed, “Young and Keith had taken hold of the crime issue in a way that liberal white Democrats have failed to do since the mid-1960s.” Tyson continued: “The best-intentioned, strongest civil libertarian, most liberal white mayor of Detroit would have felt uncomfortable saying what Young and Keith said about crime.”<sup>37</sup> Chapter One examines Young’s election as the first African American mayor of Detroit and his role in establishing social peace in a city riven by political and racial conflict in the postwar period.

The Livernois disturbance less than two years later raised once again the fear that the country had by no means put its long hot summers of racially fueled turmoil in the past, and is the subject of Chapter Two. The prospect was a particularly unwelcome one in Detroit in 1975, less than a decade removed from the nation’s then most-destructive urban disorder. Members of the New Deal coalition hoped the political success of black

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<sup>35</sup> Newspaper Clipping of Text of Coleman Young’s Inaugural Address, Coleman A. Young Collection, Part II, Box 107, Folder 5. Archives of Labor and Urban Affairs, Wayne State University.

<sup>36</sup> Damon Keith, “Challenge to Mayor Coleman A. Young,” January 2, 1974, Coleman A. Young Collection, Part II, Box 107, Folder 4. Archives of Labor and Urban Affairs, Wayne State University.

<sup>37</sup> Remer Tyson, “Young — ‘Got to Get to Work’: Wide Support Promised,” *Detroit Free Press*, n.d. (ca. January 2, 1974), Coleman A. Young Collection, Part II, Box 107, Folder 9. Archives of Labor and Urban Affairs, Wayne State University.

urban regimes in these cities would assuage the anger that fueled the upheavals of the 1960s. But when not, the electoral success of these regimes in Detroit and elsewhere entangled one part of the black community with policing the rest of it. A social form of policing had long existed in the black community, associated with the politics of respectability.<sup>38</sup> That social code advocated behavioral norms meant to set African Americans apart from the racist stereotypes whites held. But it was not until the 1970s that this informal set of behavioral codes achieved state power. The police department's response to the Livernois disturbance convinced Young that his "law and order, with justice" approach to policing had reformed the police department. Thereafter, a police department purged of the institutional biases that had long estranged it from the community could police the wildcat of the streets in a way that criminalized black neighborhoods, and in particular poor and working-class youth, but provoked less community opposition than in years past.

Approaching the history of mass incarceration through a history at once social and political, legal and economic, of a city wracked by urban crisis illustrates the vexed position African American political elites and their liberal allies in the New Deal

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<sup>38</sup> On the politics of respectability, see Evelyn Brooks Higginbotham, *Righteous Discontent: The Women's Movement in the Black Baptist Church, 1880-1920* (Cambridge: Harvard University Press, 1993) and Kevin Gaines, *Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century* (Chapel Hill: University of North Carolina Press, 1996).

coalition found themselves in during the 1970s.<sup>39</sup> These policymakers were to some extent constrained by the social and political environment that developed in the 1970s. Federal block grants introduced in the Safe Streets Act of 1968, for example, funneled money that once went directly to cities to policymakers at a state level.<sup>40</sup> This policy effectively transferred power from cities to state governments, and Republicans were central in crafting it, including Gerald Ford, then House Minority Leader and Republican Senator from Michigan. In 1974, the Supreme Court's *Milliken v. Bradley* ruling, a court case that originated in Michigan, undid federal victories establishing bussing across municipal borders that the civil rights movement had won in metropolitan areas such as Charlotte, N.C.<sup>41</sup> Like block grants, *Milliken v. Bradley* served to sever Detroit from the surrounding suburbs.

But within the constraints of state and federal policymaking, Coleman Young and members of the New Deal political coalition also exercised a degree of agency. Young stood at the center of Detroit's urban regime and was joined by members of the African American political elite in the city, including the *Michigan Chronicle*, the city's weekly African American newspaper, and members of the city's many civil rights

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<sup>39</sup> See Steve Fraser and Gary Gerstle, eds., *The Rise and Fall of the New Deal Order, 1930-1980* (Princeton, N.J.: Princeton University Press, 1989). For an examination of the fall of the New Deal order, see Simon, *Governing Through Crime*.

<sup>40</sup> See Weaver, 255.

<sup>41</sup> For works examining the fate of metropolitan bussing, see Matthew Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton: Princeton University Press, 2006) and Joyce A. Baugh, *The Detroit School Busing Case: Milliken v. Bradley and the Controversy over Desegregation* (Lawrence: University Press of Kansas, 2011).

groups, some union officials, and many white members of the city's New Deal coalition, such as James Lincoln. This urban regime took as one of its chief tasks disciplining unemployed African American youth carrying out the wildcat of the streets to the realities of the changing economic circumstances of the 1970s. In this role, Young and adherents of the local New Deal coalition were central to the growth of mass incarceration in Detroit.

The effect was a punitive turn in U.S. criminal justice: The introduction into African American communities across the country of an unprecedented degree of policing, surveillance, and incarceration. 1975 marks a turning point in the state of Michigan's prison population.<sup>42</sup> Never before that year had the number of incarcerated people in Michigan been so high; never again would it be so low. Though Raymond Peoples and the Livernois Five were acquitted for their participation in the wildcat of the streets, that was not to be the fate of generations of unemployed African American men in the years that followed. The 1970s in Detroit were critical to this transformation, as the crimes of precarious youth intersected with the emergence of black urban regimes governing cities with burgeoning unemployment and expanding informal economies to expose a generation of young people to an increasingly punitive carceral state.

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<sup>42</sup> Michigan Department of Corrections, Annual Report, 2014, C-12.

## ***The Proximate Causes of Mass Incarceration***

Lincoln was central to the development of a more punitive carceral state in Detroit. His position on juvenile justice changed markedly during his tenure as Wayne County juvenile court judge from 1960 to 1977. When he began, Lincoln was committed to the informal paternalism and normative rehabilitation that had characterized juvenile courts since their inception in the Progressive Era. These reforms were closely allied with the tenets of liberal law and order that President Truman and other New Deal Democrats had espoused in the aftermath of World War II. Chapter Four observes Lincoln's evolution from firmly rooted in the rehabilitative side of liberal law and order to a prominent voice in the national administration of juvenile justice who was convinced of the merits of incarceration.<sup>43</sup>

Lincoln had long roots in Michigan's New Deal coalition. Frank Murphy, whom Lincoln's mother had taught in a rural elementary school in a small town in Michigan and who would become perhaps Michigan's most well-known New Deal politician, served for a time as Lincoln's mentor, whom Lincoln accompanied to Lansing when Murphy served as governor and to Washington, D.C., when Franklin Roosevelt appointed Murphy Attorney General in 1939. In 1948, Lincoln used his position as one of the founders and first officers of a citywide union local of factory security guards to

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<sup>43</sup> For an examination of a liberal approach to welfare services leading to increased youth incarceration, see Donna Murch, *Living for the City: Migration, Education, and the Rise of the Black Panther Party in Oakland, California* (Chapel Hill: University of North Carolina Press, 2010).

persuade the union to endorse G. Mennen Williams in the 1948 Michigan gubernatorial election. Williams' eventual victory over the Republican incumbent realigned Michigan politics statewide for generations to come, a turning point in the state's future status as a Democratic Party stronghold.

But events throughout the 1960s and the following decade shook Lincoln's faith in the rehabilitative vision of liberal law and order, and he embraced its latent punitive side. The two were fundamentally inseparable. For Lincoln, the chief means to rehabilitate delinquent youth was through education, in keeping with a sense of juvenile delinquents not as criminals but as misguided youth. Throughout his career, Lincoln doggedly pursued increased institutional space in juvenile facilities in order to facilitate the rehabilitative vision at the core of liberal law and order. During the 1960s, however, Lincoln lost faith in that approach. The turning point was 1967, as the violence that engulfed Detroit in flames set fire to his rehabilitative vision. That violence served for Lincoln a function similar to what the Livernois disturbance served in Coleman Young's assessment of his police reforms: It convinced him that the court reforms introduced during Earl Warren's tenure as Chief Justice of the Supreme Court from 1953 to 1969 – the “due process revolution” – had eliminated the court's racial bias. By the end of the 1960s, Lincoln believed juvenile justice demanded a firmer hand.

1967 was also the year the Supreme Court issued its *in re Gault* decision, extending many of the protections of the adult criminal justice system to the juvenile

court, notably the right to an attorney. *Gault* was a part of the due process revolution of the Supreme Court under Earl Warren that used the provisions of the Fourteenth Amendment to extend the protections of the Bill of Rights to criminal defendants. This process of incorporation was central to liberal law and order's reform efforts in the postwar period. With it, liberal reformers sought to constrain overt expressions of white supremacy in state courts, ostensibly but by no means exclusively in the South. Major rulings included *Miranda v. Arizona*, which established rights during interrogation, and the *Gideon v. Wainwright* ruling in 1963 that effectively created the public defender system.

Around 1967, a number of important developments converged. With the *Gault* ruling, the Supreme Court obscured the historical distinction between adult and juvenile defendants, giving juveniles the same recourse to the criminal procedure protections of the constitution while undermining the paternalistic approach that had governed the administration of juvenile justice since the Progressive Era. At the same time, civil rights activism was increasingly associated with criminality, and northern African American leaders advocating civil disobedience, to say nothing of revolutionary activism, were accused of abandoning "responsible," i.e. law-abiding, leadership. In keeping with these developments, juvenile delinquency itself came to be viewed as a problem of law enforcement in black communities. Proponents of an increased police presence in those communities deployed African American crime victims rhetorically to build support for

these policies, and avoided accusations of racism because some voices in the black community supported increased policing in their neighborhoods.<sup>44</sup> Finally, alongside these developments, juvenile delinquents were cast as juveniles “only by legal definition,” cynically and purposefully committing adult crimes while protected from more serious consequences by the peculiarities of the juvenile justice system. With these many developments taking place concurrently, a shift toward increasingly punitive policies for juvenile delinquents emerged in the years that followed.

Amid the wildcat of the streets in the 1970s, Lincoln’s expertise was sought. But by 1975, his position had changed. That year, he introduced a new policy for juveniles, replacing probation with sentences. The directive provoked controversy among juvenile court staff. “Some juvenile court employees,” the *Detroit News* reported, “have argued that the new policy will not serve to rehabilitate the youthful offenders, and that some referees – who hear most of the court’s cases – may abuse the sentencing guidelines.” Lincoln was having none of it. “I believe in doing what works,” he said, “and what we’ve been doing hasn’t worked.” The change illuminates on a small scale the way that liberal law and order finally expressed its latent punitive side, as calls for more institutional space for rehabilitation transformed into demands to incarcerate youthful delinquents-cum-criminals. The tumultuous days of the 1960s; Lincoln’s association of

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<sup>44</sup> Michael Javen Fortner, “The Carceral State and the Crucible of Black Politics: An Urban History of the Rockefeller Drug Laws,” *Studies in American Political Development* 27, no. 1 (April 2013): 14–35.

civil rights protest with crime and crime with African American youth; a belief that the juvenile justice system had been reformed enough and that its purview was now not rehabilitation but “doing what works” with juveniles unresponsive to rehabilitation; an embrace of a newly-defined victim for whom it was the court’s responsibility to secure “freedom from fear” – all these developments marked the stages of Lincoln’s career as juvenile judge of one of the largest jurisdictions in the nation, as he evolved from a firm proponent of liberal law-and-order’s rehabilitative vision to embrace that vision’s punitive potential.

Less than two years after his release from the Wayne County Jail after being acquitted of Marian Pyszko’s death, Raymond Peoples channeled the wildcat of the streets into an innovative system of drug distribution known as the runner system. That development was predicated on several converging factors in 1970s Detroit: the devastated industrial economy to which informal work groups responded; the relative leniency of the juvenile justice system which James Lincoln at times lamented; and the collapse of an earlier system of drug distribution that utilized residences in the city’s neighborhoods. That system depended on police collusion to thrive and foundered following its exposure in a court case known as the Pingree Street Conspiracy trial. A group that came to be called Young Boys, Incorporated, borrowed the novel marketing mechanisms of the adult street sales system that operated in a few of Detroit’s downtown neighborhoods and migrated that system to the city’s outlying areas,

substituting juveniles for adults and introducing a host of mechanisms to minimize exposure to arrest. These developments are explored in Chapter Five.

YBI became a national phenomenon, and its method spread across the country to cities marked by a similar convergence of deindustrialization, high poverty and unemployment, and an increasingly punitive legal environment. In 1973, Nelson Rockefeller implemented the Rockefeller Drug Laws, one provision of which was a possible life sentence for the distribution of narcotics. Michigan passed its own version of that law in 1978, around the same time Peoples and others were organizing YBI. William Milliken, Michigan's governor at the time, would later lament the damage those laws wrought on the state.<sup>45</sup> But Raymond Peoples and a generation of precarious youth provided their own critique of Detroit's changing social distribution of wealth in the contemporary moment.

Raymond Peoples, a central figure in the wildcat of the streets, was one of the founders of YBI. After four years, a joint local, state, and federal investigation finally indicted the organization and brought about its decline. Peoples and forty other YBI members were indicted in December 1982 for their roles in this elaborate scheme, and the vast majority eventually took plea agreements. But, in a move that James Lincoln may have approved of, the provisions of the Youth Corrections Act, aimed at the

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<sup>45</sup> "Snyder Should Seek Advice from Former Gov. Milliken," *Detroit Free Press*, December 14, 2010 <http://archive.freep.com/article/20101214/BLOG2505/101214016/Snyder-should-seek-advice-from-former-Gov-Milliken> (accessed April 17, 2015).

rehabilitation of youthful offenders, were largely proscribed to YBI defendants. As a result, YBI members between 18 and 26, to whom the Act applied, faced determinate sentences untempered by parole boards and were unable to expunge their records following their release. The punitiveness of YBI members' plea agreements reflected the extent to which the criminal justice system had transformed in the 1970s. YBI defendants faced a high degree of cooperation between local and federal authorities; received no bond, or an absurdly high one; had wiretaps installed on their phones to gather evidence; and received lengthy sentences without parole.

Peoples was released from prison in 1985, dodging again an important milestone in the Michigan prison population, as 1985 was the year that the state's prison population began to grow exponentially. From 10,855 in 1975, Michigan's prisoner population reached 14,658 in 1984 before jumping to 17,744 in 1985. Thereafter, it increased dramatically, peaking at 51,515 in 2006. Peoples, however, was never again a statistic in the Michigan Department of Corrections. He was shot and killed less than six months after his release, in August, 1985, a month before his 30<sup>th</sup> birthday. His journey from the Dearborn Iron Foundry to Livernois Five defendant to co-founder of Young Boys, Incorporated, lasted just ten years.

Detroit in the 1970s served as a crucible for the criminalization of poverty, youth, and race that we understand today as mass incarceration. The urban crisis swelled the streets with unemployed people, drug users and youthful sellers. Coleman Young's

approach to policing exposed unemployed African American youth to far more law and order than it contained justice. These young people organized themselves into a wildcat of the streets, in part in response to their economic condition but also as a form of solidarity in response to the hostile urban environment they faced. They inhabited public spaces together and committed crimes together and in both instances they destabilized the social peace Young sought to construct. Many of these young people, already active participants in the city's informal economy, gravitated toward the innovative drug distribution system that Raymond Peoples and Young Boys, Incorporated, developed at the end of the 1970s. In this capacity, they became part of the exponential growth in the prison population of the United States in the decades that followed. In 2002, the United States had the largest prison population in the world.<sup>46</sup> By 2010, more Detroiters were under correctional supervision than were members of the UAW.<sup>47</sup> One scholar recently noted that the number of black men in U.S. prisons or on probation is today greater than the number that were slaves at the start of the Civil War.<sup>48</sup> The roots of this reality are to be found in the struggles of the 1970s. It was at this time that working class rebellion and wildcats of the streets converged. Increasingly,

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<sup>46</sup> Michael Sherry, "Dead or Alive: American Vengeance Goes Global," *Review of International Studies* 31, no. S1 (December 2005): 247.

<sup>47</sup> Thompson, "Why Mass Incarceration Matters," 708n14.

<sup>48</sup> Michelle Alexander, "More Black Men Are in Prison Today than Were Enslaved in 1850," *Huffington Post*, October 13, 2011, [http://www.huffingtonpost.com/2011/10/12/michelle-alexander-more-black-men-in-prison-slaves-1850\\_n\\_1007368.html](http://www.huffingtonpost.com/2011/10/12/michelle-alexander-more-black-men-in-prison-slaves-1850_n_1007368.html) (accessed February 14, 2012).

they converged inside the walls of correctional facilities. In this sense, the battles of the 1970s did not end. They merely shifted terrain.

## Chapter One. “Let Us Stop Knocking and Start Selling Detroit”: The 1973 Mayoral Election, Crime, and the Politics of Growth in Detroit

The guns of the police force ... will not solve the frustration of our young people. The leaders and the people of this city must deal with the frustrations which cause these people to act the way that they do. The future of this city does not in the end depend upon the Renaissance Center. It depends upon these young people. Unless we can give them hope the center with its high wall will stand alone in the midst of a devastated city.

- Arthur Shelton, Letter to the Editor, *Detroit News*, June 27, 1976

By the very act of distributing goods, the city maintains inequality. There are those capable of distributing, those who have the means to give to those who do not. And there are those, the less equal, who receive these distributions but have no part in the community's deliberations. Distribution itself is of the police order of inequality.

- Todd May, *The Political Thought of Jacques Ranciere*

In 1973, Coleman Young was elected the city of Detroit's first African American mayor. It had been six years since the epochal urban upheaval that had upended but by no means ended the tumultuous relationship between the city's police department and its African American population. Once the nation's model city of race relations under liberal white mayor Jerome Cavanagh, by 1973 the city resonated far more in the national consciousness for a series of wildcat strikes led by African American revolutionaries, a police department that boasted more civilian deaths per officer than any other in the nation, and a murder rate that would find Detroit dubbed the nation's murder capital the following year.<sup>1</sup> Young's election promised to change all that. As a former factory worker and union organizer, a military veteran and officer, and one of the most charismatic and audacious political figures in the city's history, Young's election

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<sup>1</sup> Sidney Fine, *Violence in the Model City: The Cavanagh Administration, Race Relations, and the Detroit Riot of 1967*, rev. ed. (East Lansing: Michigan State University Press, 2007).

captured the imagination of a wide swath of the city's residents, not least its African American ones. Young was particularly revered for his bold testimony before the House Un-American Activities Committee in which he repeatedly corrected one Southern segregationist's pronunciation of the word "Negro."

But Young was elected far less for his past accomplishments than for his political vision. Campaigning against former Detroit police commissioner John Nichols, in an election that would ultimately also ratify a revised city charter that substantially reorganized the city's police department, policing was perhaps the 1973 mayoral contest's most important issue. Under Nichols, the police department had introduced a decoy operation that had resulted in the deaths of almost two dozen African American men in less than two years. In contrast, Young offered a vision of "law and order, with justice." The phrase struck a chord. It was a rejection of the conservative law and order of the Republican Party and Dixiecrats, wedded as they were to a notion of civil rights protest as itself inherently criminal, a reflection of their belief in the general pathology of black people as such. At the same time, Young embraced the liberal law-and-order tradition that had long roots in the Democratic Party. Young's version of law and order placed African Americans at its center not as criminals but as victims. It promised "justice" to the victims of a racist police department just as it reassured the victims of street crime with vows of "law and order" for criminals. The combination was a tantalizing one. With it, Young rejected the "blackjack rule of terror" he accused Nichols of employing while he served as police commissioner under former Mayor Roman Gribbs. But he also positioned himself as a hardline enforcer of the rule of law against

criminals. Young's electoral success, and the centrality of police reform to it, reflected a similar trend across the United States beginning in the 1970s that saw the election of Kenneth Gibson as mayor of Newark in 1970 and the elections in 1973 of Maynard Jackson and Tom Bradley as mayors of Atlanta and Los Angeles, respectively.

The election of these rising African American politicians and reformed police departments also resonated with locally entrenched business elites in each of these locales. Above all, the promise of urban peace after a decade or more of social conflict clearly reverberated. In Detroit, Henry Ford II, chairman of the Ford Motor Company, saw in Young a politician who could stabilize the downtown area in which he had recently committed to invest heavily through his Renaissance Center project. The two became close allies, and a number of downtown revitalization projects followed. Many of these projects reflected physically the concern with security that had developed in urban centers across the country in the wake of the disorders of the 1960s. An examination of the "riot renaissance" trend in the physical landscape of Detroit since 1967 demonstrates how closely related policing and downtown development were under the tenure of the city's first African American mayor.

### ***Coleman Young's Proletarian Uplift***

In his autobiography, Coleman Young recounts an encounter with police he had as a teenager in downtown Detroit in the 1930s. He and a friend had gone to see a movie and, as they left the theater, a police officer accosted the two of them using racial epithets. Young claims to have saved himself and his companion from physical violence

by telling police they were juveniles. For Young, the incident was typical. “The custom in the Detroit Police Department — as in many other northern industrial cities,” Young said, “was to place ads in Southern newspapers for law-enforcement officers.” The incident was in keeping with a Southern, segregationist mentality that Young suggested the city’s black population had come to expect not only from the city’s police force, but from government in general. “Jaundiced as it was,” Young said, “most of us understood that the disposition of the police force was merely symptomatic of the basic racial attitude of the government at large — local, state, and especially federal.” Government officials, “talked about equality between all people, which was something that the U.S. Constitution also made mention of,” but for Young and others, all that talk had little effect on the practice of government, “until FDR.” Young recalled being particularly impressed by the fact that Roosevelt’s New Deal programs “were equally accessible to blacks and whites.”<sup>2</sup>

While Roosevelt and the New Deal coalition by no means embraced racial justice programmatically, the outbreak of World War II caused a reassessment of racial discrimination among New Dealers.<sup>3</sup> Internationally, anti-Semitism in Germany and an ostensibly race-neutral communism in the Soviet Union influenced this development. Domestically, a series of race riots that pitted working class whites against African

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<sup>2</sup> Coleman A Young, *Hard Stuff: The Autobiography of Coleman Young* (New York: Viking, 1994), 36-37.

<sup>3</sup> Alan Brinkley, *The End of Reform: New Deal Liberalism in Recession and War* (New York: Vintage, 1995), 164-69.

Americans joined longstanding grievances against a racially biased criminal justice system epitomized by the Scottsboro trial — but by no means confined to the South — to cause the United States international embarrassment. These developments gave the Civil Rights movement unprecedented power to wring concessions from the federal government on the basis of its democratic claims, in turn increasing the influence of African Americans within the New Deal coalition. The reform impulse received another important impetus with the publication of Gunnar Myrdal's *The American Dilemma* in 1944, which claimed that racial injustice was undermining the democratic claims of the United States.

In this context, President Harry Truman issued Executive Order 9808 in December 1946, creating the President's Committee on Civil Rights. Drawing on Myrdal's study, the Committee on Civil Rights issued *To Secure These Rights*. In addition to addressing bias in the criminal justice system, Truman also sought to reform voting rights and employment practices. *To Secure These Rights* enumerated four rights the committee considered the basis of the rights contained in the U.S. Constitution. These included the right to safety and security of the person, the right to citizenship and its privileges, the right to freedom of conscience and expression, and the right to equality of opportunity. In this way, the report translated Franklin Roosevelt's "Four Freedoms" from the global scale to which they aspired when he issued them during World War II to

the domestic arena.<sup>4</sup> In her examination of the emergence of liberal law and order, *The First Civil Right: How Liberals Built Prison America*, political scientist Naomi Murakawa considers the right to safety and security, “the first condition of all rights,” and hence, “the first civil right.”<sup>5</sup>

This first civil right, Murakawa suggests, sought to build a better carceral state by constraining the violence that was then so politically embarrassing.<sup>6</sup> It did so by condemning the racist attacks then common on the nation’s streets, and purging racial bias from the administration of criminal justice. In the process, Truman hoped to rehabilitate the legitimacy of the nation’s criminal justice system. “Lost in translation,” Murakawa argues, “was the fact that carceral violence was so lethal precisely because it was *not* arbitrary.”<sup>7</sup> These reforms reflected the roots of liberal law and order in racial liberalism. The latter defined racial prejudice as something that corrupts the function of political institutions and damages African Americans psychologically. Racial liberals understood criminal behavior not as something inherent in African Americans due to their race, but a result of the prejudice they experienced under white supremacy, a different kind of racial pathology. By reforming the criminal justice system in this way, liberal law and order redefined as criminal not African Americans as such, but those

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<sup>4</sup> Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014), 38-48.

<sup>5</sup> *Ibid.*, 3.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, 44.

African Americans who were in prison. Liberal law and order thus accounted for the disproportionate numbers of African Americans in prison with reference to the pathological effects of white racism.<sup>8</sup>

In the figure of sociologist Gunnar Myrdal, and in the pursuit of institutional reform through an assault on white racism, liberal law and order intersected with the racial uplift tradition of African American elites. Uplift emerged as an ideology as legal segregation descended on the southern United States in the aftermath of the *Plessy v. Ferguson* decision. Educated African Americans responded to the racism of *Plessy* and the emergence of Jim Crow by highlighting class distinctions in the black community as evidence that claims of African Americans' inherent inferiority were evidently false. Elite African Americans also set themselves apart from poor or working class African Americans through a commitment to service. Through self-help, they sought to improve the material and moral condition of the African American community. But these distinctions were largely meaningless to lynch mobs or in courts of law dominated by prejudiced judges. The reality of white supremacy — a restricted labor market, residential segregation, a lack of legal protection in the courts and the threat of violence in the streets — constantly constrained the expression of clear class differences in the black community. Historian Kevin Gaines argues that in the face of entrenched white

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<sup>8</sup> Ibid., 3. On racial liberalism, see also Lani Guinier, "From Racial Liberalism to Racial Literacy: Brown v. Board of Education and the Interest-Divergence Dilemma," *Journal of American History* 91, no. 1 (2004), 92-118; Jodi Melamed, "The Spirit of Neoliberalism: From Racial Liberalism to Neoliberal Multiculturalism," *Social Text* 24, no. 4 (2006), 1-24.

supremacy, this African American elite “devised a *moral economy* of class privilege, distinction, and even domination *within the race*, often drawing on patriarchal gender conventions as a sign of elite status and ‘race progress.’ ”<sup>9</sup>

As racial liberals began to seek criminal justice reform in the 1940s, they took inspiration from the complaints that educated African Americans had long voiced against the unequal protections of the courts, the police, and other social institutions. But Myrdal and others also took inspiration from the intellectual framework that elite African Americans had elucidated. That framework, Gaines suggests, was limited by its own claim that the basis of human rights lay in the degree to which groups of people demonstrated their adherence to bourgeois respectability, the behavioral norms of the patriarchal family, and moral and material uplift, and its use of class distinctions to prove that claim.<sup>10</sup> As a result, Myrdal explained poverty and residential segregation not as the conditions of housing discrimination or labor market restrictions but as the result of “family disorganization and its attendant psychopathologies.”<sup>11</sup> In this way, liberal law and order converged with the ideology of uplift, introducing reforms into the criminal justice system that removed the operation of white supremacy without regard to class distinctions, and condemning to incarceration the crimes of poverty.

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<sup>9</sup> Kevin Gaines, *Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century* (Chapel Hill: University of North Carolina Press, 1996), 17.

<sup>10</sup> *Ibid.*, 255.

<sup>11</sup> *Ibid.*, 256.

“There is no such thing as separate but equal. That sort of reasoning,” Young recalled, “made a union man out of me.” As a product of Detroit’s own remarkable social composition – a stronghold of the black working class in the United States – when he became mayor Coleman Young practiced a version of uplift inflected by his proletarian roots – “proletarian uplift.” Rejecting the moral opprobrium of traditional uplift, he at the same time pursued a class-based approach to policing that resonated with uplift ideology’s behavioral strictures. As a young man, Young participated in the city’s informal economy, skirting Prohibition laws in his youth, and pursuing various other occupations at the margins of legality.<sup>12</sup> Young was also a regular at Haywood Maben’s barbershop, where he received what he called a “proper education.”<sup>13</sup> Maben would “take off on day-long diatribes about unionism and unity between the races,” Young recalled. It was here, too, that Young listened to debates about the relative merits of African American leaders such as Booker T. Washington, Frederick Douglass, and W.E.B. Du Bois. Young gravitated toward Du Bois, and mentioned that the latter’s *The Souls of Black Folk* served as a touchstone of his developing political consciousness.<sup>14</sup> The experience at Maben’s prepared Young for his involvement as a popular and combative leader of the city’s African American working class. Young cut his teeth in the city’s working class movement through participation in the Detroit branch of the National

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<sup>12</sup> Young 17-18; 21-23; 34.

<sup>13</sup> Ibid., 29.

<sup>14</sup> Ibid., 31-32.

Negro Congress. Young became close to Rev. Charles Hill, who was a founder of the NNC and the head of its Detroit chapter. The NNC was instrumental in opening up the city's union movement to African Americans, and Hill was one of the first African American ministers to break with Henry Ford's system of economic patronage doled out through trusted confederates among those ministers.<sup>15</sup> In this way, Young participated in the decisive shift that took place in the social and political landscape of Detroit's black community, as working class African Americans shifted their political allegiance away from Ford's Republicanism and toward the New Deal coalition. Young counted Frank Murphy, former mayor of Detroit, governor of Michigan, and Supreme Court Justice, as one of the most important players in the New Deal coalition locally and nationally.<sup>16</sup> The shift reflected the growing social weight of the city's black working class, which would thereafter take the political lead in the African American community. Young himself reflected that shift. He rejected the behavioral and cultural norms of the uplift elites, whom he referred to in Detroit's colloquial pejorative as "e-lites," even when they came from his mother, herself a schoolteacher.<sup>17</sup>

Young's experience in the army, like that of so many other African American soldiers, highlighted for him the hypocrisy of a "Jim Crow Army" fighting Roosevelt's "Four Freedoms War." When Young joined the Army in 1942, several years after his

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<sup>15</sup> Ibid., 42. See also Beth Tompkins Bates, *The Making of Black Detroit in the Age of Henry Ford* (Chapel Hill: University of North Carolina Press, 2012), 199-209.

<sup>16</sup> Young, 44.

<sup>17</sup> Ibid., 34; 80.

involvement with the NNC, he “enlisted in a private war” against the military’s “segregationist mentality.” In the Army, Young became what he called a “latrine barrister,” and devoted himself to scouring the regulations of the “Jim Crow Army” to find technical ways to undermine the practice of segregation. This included relatively light skirmishes that at the same time contributed meaningfully to the self-esteem of African American officers. To countervail the unspoken regulation that required “a little shucking and winging when you asked for something,” Young found a rule that allowed soldiers to wear their hats in the presence of officers. He combined this with advice to remain several yards from the superior officer during requests, the effect of which was to speak forcefully and look one’s superior officer in the eye. In another small but meaningful victory, Young encouraged his fellow African American junior officers to salute senior officers whenever they were nearby. Military courtesy required senior officers to return the salute, and the result of Young’s innovation was a significant display of respect by white officers toward African American officers beneath them in the military hierarchy.

Young’s hostility toward the “Jim Crow Army,” and the organizing he did against it, at one point resulted in a visit to a base he was stationed at by General B.O. Davis, Sr., at that time the only African American general in the Army. Davis “wasn’t the least bit interested in our grievances,” Young recalled, “but he was very interested in letting us know how fortunate we were to be fighting in the greatest army in the world.”

Davis summed up his disdain for the organizing efforts taking place by telling Young and the other African American officers, "I'm you're color, but not your kind." Not only did Young and the other officers give "a big 'Amen' to that," they organized another action for Davis's return visit. When Davis arrived for his second visit at the mess hall, Young and the officers stood to greet him and removed their hats, revealing that they were all wearing handkerchiefs on their heads, "a symbol for Uncle Tom." Young recalled that Davis "stormed out of there and caught the next plane for Washington," and it was the last Young ever saw of him.<sup>18</sup>

But Young's uplift, however proletarian, remained indebted to the ideology of racial uplift practiced by elite African Americans. This was evident in the midst of his most high-stakes conflagration against the segregated practices of the military, his involvement in the Freeman Field Mutiny. Along with over one hundred other African American officers, Young was arrested and faced court-martial and a possible death sentence during a civil disobedience campaign to desegregate the officers' club at Freeman Field. In addition to segregated facilities, Young and other African American soldiers were constrained in their ability to rise through the military ranks not by their qualifications but by the unwillingness of a segregated military to recognize those qualifications.

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<sup>18</sup> Ibid., 52-58.

The issue of qualifications emerges again and again in Young's autobiography as he discusses his time in the military. Young was well aware of the limitations that segregation imposed on the African American community. "It's certainly true," Young observed, "that many blacks entered the Army woefully deficient in soldiering skills because of their lack of education and job training." Added to this were the drafting practices of Southern recruiting offices, which often inducted African Americans "with the least wherewithal and fewest qualifications." Added to this was the fact that "some of the most qualified and capable soldiers were relegated to pressing pants and shining shoes for the officers." Upon transfer to a base in Arizona, Young met a fellow Detroiter named John Simmons, "one of the most qualified men in the infantry," who, due to his political activity, "was assigned to menial chores throughout his Army hitch. It was a travesty for a guy like John Simmons to be shining shoes." Young captured the frustration involved in this when he discussed a letter African American airmen had written to President Roosevelt stating, as Young understood it, that "they would proudly give their lives defending a country that granted them equal rights as citizens and soldiers." This incident was outside the scope of Young's personal experience, and as such demonstrates the extent to which such stories circulated among disaffected African American soldiers, both enlisted men and officers. To Young, the incident demonstrated the frustration these men felt "over having been bypassed for promotions while less qualified white officers sped by them up the ladder." But by couching his

protest in the language of qualifications, and by distinguishing between who is and is not qualified, Young veers close to recapitulating the class distinction at the core of uplift ideology.<sup>19</sup>

Back in Detroit following his discharge from the Army in 1945, Young again immersed himself in the city's labor movement. In 1946, Young and the left wing of the United Automobile Workers, including Douglas Fraser, an eventual president of the UAW, sought to create a permanent, statewide position for an African American officer of the Congress of Industrial Officers. A similar effort had failed in 1943, and although this effort fared little better, Young and his allies did succeed in creating a position as a full-time director of organization on the Wayne County CIO, to which Young himself was elected. Young's tenure in this position coincided with what, according to him, "might have been the most volatile, stimulating, highly charged moment of twentieth-century American politics, as well as ... the last hurrah for the radical left."<sup>20</sup> In 1947, Young and Fraser unsuccessfully opposed Walter Reuther's more right-wing faction, with Young supporting Fraser for president, and Fraser supporting Young's bid for directorship of the CIO. In 1948, without officially endorsing Henry Wallace, Young aligned the "infamous" Wayne County CIO with the Progressive Party. The move antagonized an already hostile Reuther, whose faction of the UAW supported Truman

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<sup>19</sup> Ibid., 54-66.

<sup>20</sup> Ibid., 95.

in the 1948 presidential election. Political tension between the two factions came to a head at the 1948 UAW convention, when Young and much of the left wing of the UAW were purged by the Reuther forces.

It was in 1948 that Young made what he called his “biggest political mistake.” That year, Young ran as a Progressive Party candidate for the state senate. Young described the Progressive Party as “ill-fated from the beginning.” The reason, Young remembered, was that “it seemed that for everyone willing to give to Wallace, there was somebody just as willing to take.” Young recalled that at one fundraiser, he “had unexpected difficulty collecting money from the collectors, one of whom escaped with the contributions of an entire row of seats.” Thus Young’s disaffection from the Progressive Party, and from the radical left more broadly, his unsuccessful state senate bid, and his ejection from the Wayne County CIO, where he had become an important spokesperson for Detroit’s black community, was marked by the intrusion of crime.<sup>21</sup>

Young’s efforts to integrate the Army’s officers’ facilities, and his unease about the implications crime posed to more thoroughgoing social change, find parallels in his activism throughout the 1940s and early 1950s. So, too, do the contradictory class implications of these efforts. In addition to his efforts to integrate the upper echelons of labor officialdom, Young remained active in local struggles against segregation that affected the African American community more broadly. These included efforts to

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<sup>21</sup> Ibid., 97.

desegregate public spaces downtown, to integrate housing, and to oppose the city's rampant police brutality. Three years after his stint as part of the "infamous Wayne County CIO," Young also tried to revitalize left-wing trade unionism and enhance the stature of African American labor when he co-founded the National Negro Labor Council in 1951. According to Young, that organization's goals included "attaining jobs for blacks in places where we had previously been excluded, such as banks, airlines, and department stores; and winning executive positions for blacks within labor and trade unions."<sup>22</sup>

The culmination of Young's early political life came in 1952, when he testified before the House Un-American Activities Committee. In addition to a refusal to cooperate with the investigation into the NNLC that was the subject of his subpoena, Young repeatedly corrected the pronunciation of one member of the HUAC committee who refused to properly pronounce the word "Negro." More substantively, Young called into question the committee members' own "un-American activities," insinuating that many of them would never have been elected if African Americans in their district had not been denied the right to vote. The moment bore important symbolic significance for Young as well, as he viewed HUAC as an attempt to import Southern Jim Crow practices into northern cities.<sup>23</sup> The testimony also made Young "a hero in the black

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<sup>22</sup> Ibid., 99, 113.

<sup>23</sup> Ibid., 135-36.

community,” according to one historian.<sup>24</sup> Young himself captured the reason: “I had said words that the people of Black Bottom had dreamed all their lives of saying to a Southern white man. I had stood up to the landlord and told off the foreman. I had spoken for all of them, and they were standing a little taller.”<sup>25</sup>

### ***The New Deal Coalition After World War II***

The same year Coleman Young remembered as the last gasp of the radical left in the twentieth century also saw the consolidation of the New Deal coalition in Michigan with the election of G. Mennen Williams as governor, which “effectively realigned the Michigan political system.”<sup>26</sup> The tide began to turn in the coalition’s favor with the Great Depression, and gained force locally through the work of African American activists like Young and his political mentor, the Rev. Charles Hill, as well as the unionization of Ford Motor Company in 1941. Executive Order 8802, outlawing racial discrimination in defense contracts in the city’s automobile factories, converted to wartime production during World War II, also played an important role. Whereas Ford had been one of the few manufacturers to hire black workers in substantial numbers before the war, Roosevelt’s action effectively desegregated the auto industry.

This coalition was not without tension. White autoworkers greeted E.O. 8802 with wildcat hate strikes. Attempts to develop high profile African American leadership

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<sup>24</sup> Wilber Rich, *Coleman Young and Detroit Politics: From Social Activist to Power Broker* (Detroit: Wayne State University Press, 1989), 72.

<sup>25</sup> Young, 132.

<sup>26</sup> Sidney Fine, *Frank Murphy: The New Deal Years* (Chicago: University of Chicago Press, 1979), 281.

within local unions were uneven at best, as Young's experience with the NNLC, and similar experiences among leaders of the African American working class movement in the 1950s, suggested. After the NNLC collapsed under the weight of McCarthyism in the mid-1950s, the Trade Union Leadership Council (TULC) emerged as another voice for black workers in the labor movement. Created by a group of seasoned black labor leaders who "had been marching in the union movement close on 20 years and felt they could not be patient any longer," TULC founders had feared the waning influence of African Americans in the UAW since Walter Reuther consolidated his hold on the union's leadership in 1948. The group's members saw their mission as one of mediation, "interpret[ing] the black community to the labor movement and the labor movement to the black community."<sup>27</sup>

Race proved just as divisive to the politics of housing as it had been to the labor movement. While working class whites retained their loyalty to the Democratic Party in national elections, locally, Republicans skillfully used the issue of housing to separate white homeowners from the New Deal coalition in Detroit, opposing public housing and supporting changes to mortgage procedures that would foster private homeownership in the city. Throughout the 1950s, the strategy regularly returned

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<sup>27</sup> Cornelius C. Thomas, "The Trade Union Leadership Council: Black Workers Respond to the United Automobile Workers, 1957-1967," *New Politics* 38 (Winter 2005), 125.

Republican candidates to the mayor's office in Detroit, an ostensible bulwark in the Democratic New Deal coalition nationally.<sup>28</sup>

The 1961 mayoral election reconfigured the local political landscape, and crime and policing proved decisive in that election. Mayor Louis Miriani's Citizens Advisory Committee on Police Procedures issued a report in March 1960 that echoed the reforms advocated by liberal law and order, in particular an assurance from the police department that promotions would reflect an officer's qualifications above all else. The report also noted that citizen complaints of police misconduct remained an important issue throughout the city. In December of that year, an editorial in the *Detroit News* noted that African Americans committed a disproportionate amount of the city's crime. The editorial raised the ire of leaders in the African American community when it attributed the rise in crime to a failing among the black community's leadership.<sup>29</sup> Using a similarly specious reasoning that viewed African American crime rates as the product less of racial profiling than of a proclivity toward crime, Mayor Louis Miriani orchestrated a police crackdown on crime that focused on African American neighborhoods soon after the editorial appeared.<sup>30</sup> The crackdown resulted in over six

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<sup>28</sup> For an examination of race, housing, and the New Deal coalition, see David Freund, *Colored Property: State Policy and White Racial Politics in Suburban America* (Chicago: University of Chicago Press, 2007), 1-42; 284-327.

<sup>29</sup> Fine, 14-16.

<sup>30</sup> Historian Khalil Muhammad discusses the misuse of statistical data on crime from the Progressive Era to the mid-twentieth century in Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2010).

hundred arrests in its first forty-eight hours and more than fifteen hundred within a week, almost exclusively African American men. The crackdown, as well as its indiscriminate targeting of African Americans regardless of the cultural distinctions that uplift proponents insisted on, engendered copious criticism among black civil rights organizations, and sutured together African American leaders across the partisan divides that emerged in the 1940s. TULC found common cause with the NAACP and the Cotillion Club, a political club founded by members of the city's more affluent African American elite. This coalition expanded to include liberal faith-based organizations, the AFL-CIO, the ACLU, and academics at Wayne State University.

Jerome Cavanagh was the beneficiary of this reinvigorated New Deal coalition. But the UAW chastened that coalition's prospects when it backed Miriani in the 1961 election. This reflected the UAW's own bitter lessons from coalition politics, which included a devastating defeat suffered by George Edwards, the UAW candidate, in 1949. Edwards lost to Republican Alfred Cobo largely due to the racial politics of housing, which Cobo used effectively to estrange the city's large white working class from their union's candidate. But this history mattered little to the African American community, particularly given how polarizing the issue of policing had become. George Crockett, a pioneering Detroit civil rights activist, lawyer and judge in Detroit's criminal court – and early convert to the New Deal coalition – recalled the UAW's decision in the 1961 election bitterly. "Miriani's record on the issue ... was so bad, Negroes would not sit still

for that. When the UAW said, 'We endorse Miriani,' the Negro said, 'This is the parting of the way.'"<sup>31</sup>

In spite of this, TULC and the other members of the coalition opposed to Miriani's policing practices supported a "5 + 1" liberal slate (five liberal council candidates plus Cavanagh) that included Mel Ravitz for city council, launching Ravitz's political career in the city. The Cavanagh victory was a watershed. It signaled perhaps the New Deal coalition's greatest electoral success at the local level, after over a decade of conservative dominance. Detroit's African American community experienced the victory as a significant triumph of its own power. One of Cavanagh's first acts as mayor-elect was to visit TULC's offices and offer his thanks for its support, and many in the African American community remembered the night as "the sweet fruit of coalition politics."<sup>32</sup>

The Cavanagh administration indeed represented a breakthrough for Detroit's black community. Members of the uplift set, both trade union officials and professional African Americans, had much to be hopeful for under Cavanagh's administration. Cavanagh appointed several African Americans to important administrative positions, and promised to hire still more as police officers. A charismatic young politician who

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<sup>31</sup> Crockett converted from Lincoln Republican to New Deal Democrat prior to 1940, see Robert McG. Thomas, "George Crockett Dies at 88; Was a Civil Rights Crusader, *New York Times*, September 15, 1997. <http://www.nytimes.com/1997/09/15/us/george-w-crockett-dies-at-88-was-a-civil-rights-crusader.html> (accessed April 4, 2014). Crockett quoted in Rich, 75, cited as George Crockett, Oral History, Wayne State University Labor History Archives (February 2, 1968).

<sup>32</sup> Rich, 77.

prompted comparisons with President John F. Kennedy and had the makings of a national political career, Cavanagh successfully parlayed that image into a significant influence in Washington, D.C. He helped craft legislation that projected Detroit as the nation's "Model City" in terms of race relations. The designation made Detroit a crucible for experimental urban programs aimed at formulating a new era of urban race relations. As a result, federal money poured into the city. Cavanagh also used his influence to channel significant amounts of money from the federal government's War on Poverty programs to the city. In many ways, then, Detroit under Jerome Cavanagh was also a model of using the federal government's largesse to bolster the New Deal coalition locally.

But fighting crime was central to the War on Poverty, and as a result policing emerged repeatedly as a divisive issue, a constant threat to the stability of the New Deal coalition.<sup>33</sup> In 1963, a street confrontation between police and Cynthia Scott, a prostitute, resulted in Scott's shooting death at the hands of a police officer. Police asserted that Scott had slashed them several times with a knife, and that they had killed Scott in self-defense. But the black community was skeptical. One of the officers involved, Theodore

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<sup>33</sup> For the confluence of the War on Poverty and the War on Crime around policing practices, see Frances Fox Piven and Richard Cloward, *Regulating the Poor: The Functions of Public Welfare*, Updated ed. (New York: Vintage Books, 1993); David Garland, *Punishment and Welfare: A History of Penal Strategies* (Brookfield, VT: Gower, 1985); Michel Foucault, *Discipline and Punish: The Birth of the Prison*, 2nd ed. (New York: Vintage Books, 1995); Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham, NC: Duke University Press, 2009); Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010); and Elizabeth Hinton, "'A War Within Our Own Boundaries': Lyndon Johnson's Great Society and the Rise of the Carceral State," *Journal of American History*, forthcoming (Summer 2015).

Spicher, had a poor reputation in the black community, and allegations that the confrontation was really a shakedown between Spicher and Scott dogged the incident. Official investigation into the incident did little to dissipate the tension. General Baker, a working class African American activist later involved in the wildcat strike that led to the creation of the League of Revolutionary Black Workers, perhaps the most well-known working class radical organization of the 1960s, recalled that the incident, and the organizing that came out of it, “galvanized the black community.”<sup>34</sup>

Protest against the Scott case and a number of what Baker called “police killings” during Cavanagh’s tenure led to the formation of numerous other left-wing, African American organizations in the city. Cavanagh had appointed first George Edwards, the former UAW candidate, and later Ray Girardin, a former crime journalist for the *Detroit Times*, as police commissioner. But neither made substantial headway in reforming police practice, promoting African Americans to leadership positions, or dramatically increasing the number of black police officers. The intransigency of entrenched police officer sentiment played an important part in continuing forms of policing that inflamed the African American community throughout Cavanagh’s tenure. Absent more substantive reform, and in the face of ongoing policing controversy, Cavanagh’s liberal

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<sup>34</sup> General Baker, interview by author, Detroit, MI, October 26, 2011.

law and order contributed to the rise of a black protest movement to the left of TULC and its trade union activities throughout the 1960s.<sup>35</sup>

As the promise of the Model City of race relations went up in smoke during the 1967 riot and rebellion, so too did the liberal law and order of Jerome Cavanagh. Two years later, former Detroit police commissioner Roman Gribbs was elected mayor. In a close race, Gribbs defeated Richard Austin, a popular African American politician and accountant by trade who was backed by the remnants of Cavanagh's New Deal coalition. Elected on a conservative law-and-order mandate, Gribbs promised to deal harshly with crime in the black community. He appointed career policeman John Nichols his commissioner. Nichols presided over the most tumultuous period of policing in the city's history. In the midst of a rising crime rate and a growing heroin epidemic, Nichols created a "decoy" operation called "Stop the Robberies, Enjoy Safe Streets," or STRESS. STRESS officers conducted their operations in the city's high crime but overwhelmingly African American neighborhoods. The typical operation consisted of one officer acting drunk, or like some other potential robbery victim. When the decoy was accosted, nearby officers would move in for arrest. From its creation in January 1971 to September 1973, it was believed responsible for twenty-two fatalities, giving Detroit in 1971 the highest ratio of civilian killings per 1,000 police officers in the country. Its

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<sup>35</sup> For an examination of Cavanagh's reform efforts during the period between his election and the outbreak of the 1967 disturbance, see Fine, 95-125.

excesses forged together a broad movement of black and white radicals in the city that Coleman Young would later draw on as he made crime central to his bid to become the city's first African American mayor.<sup>36</sup>

But while Gribbs successfully parlayed his conservative approach to policing into electoral success, Detroit's demographic changes in relation to the surrounding suburbs were beginning to militate against similar success in the future. The white population had begun fleeing to the suburbs soon after World War II, abetted by federal investment in highways and federal mortgage reform, no less by the practices of real estate agents playing on racial tensions in the central city. From 1950 to 1980, Detroit's white population plummeted by over one million residents, to 414,000. Over the same period, its African American population more than doubled, from 300,000 to 750,000.<sup>37</sup> The rapidity of these changes and their extent made Detroit stand out among cities in the country experiencing similar demographic changes. Philadelphia, for example, which saw the election of Frank Rizzo, a former police commissioner with a notably retrograde policing policy in 1972, experienced white flight but remained majority white until 1990. Detroit in 1973 was already majority African American, if only by the

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<sup>36</sup> For a discussion of STRESS and the large community resistance movement it created, see Heather Thompson, *Whose Detroit? Politics, Labor, and Race in a Modern American City* (Ithaca: Cornell University Press, 2001), 81-102. On STRESS, see Dan Georgakas and Marvin Surkin, *Detroit: I Do Mind Dying: A Study in Urban Revolution* rev. ed. (Cambridge: South End Press, 1998), 167-73; and From the Ground Up, *Detroit Under STRESS* (Detroit: From the Ground Up, 1973).

<sup>37</sup> Reynolds Farley, Sheldon Danziger and Harry Holzer, *Detroit Divided* (New York: Russell Sage, 2000), 149-51.

slimmest margin. The passage of the 26th Amendment in 1971 aided this development, lowering the voting age to 18 and enlarging the African American vote in the youthful city to the status of majority.<sup>38</sup> This had important implications in the 1973 mayoral race.

With racial polarization in the city at perhaps its highest point, the New Deal coalition looked to the 1973 election as an opportunity to reassert its political influence. When the election began, Councilman Mel Ravitz, who owed the start of his political career to that coalition and had demonstrated again and again his commitment to it, appeared to be the UAW's most likely candidate. This decision would prove controversial, however, particularly as the primary election approached. With the entry of Coleman Young into the race, the UAW found itself, as during the controversial decision to endorse Louis Miriani, a house divided. While many black UAW officials upheld the union's decision to endorse Cavanagh, many others broke ranks, eventually endorsing then-State Senator Coleman Young publicly.

In spite of the tension wracking the New Deal coalition, Ravitz was optimistic about his chances. He was a popular city councilman able to draw on liberals in the city across racial boundaries. In this he was similar to Richard Austin, who held a similar appeal among black and white voters when he ran in the previous mayoral election.

Ravitz also had over a decade in public office to his credit, and a long record of

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<sup>38</sup> An article in the *Detroit News* in the run-up to the 1973 election incorrectly calculated the electoral advantage for the city's white population at 50.5% to 49.5%. See Robert Pisor and Clark Hallas, "Blacks Gain Voting Strength in Detroit," *Detroit News*, September 12, 1973.

successful intervention in liberal causes around the city, including displaying notable leadership in the formation of block clubs in the city, one attempt to decentralize the practice of law and order among residents. Moreover, he had the support of one of the city's most powerful political players: the UAW.

Ravitz had also sought the mayor's office four years earlier. At that time, however, the UAW considered Austin the person most able to breathe new life into the New Deal coalition so badly charred in the flames of Detroit's 1967 uprising. The UAW convinced Ravitz to withdraw from the race with the promise that it would back him in 1973. With a personal promise from Walter Reuther to endorse him in the next election, Ravitz withdrew. As a result, he believed 1973 was his time. At the outset of the election season, the *Detroit Free Press*, long associated with liberal politics in the city, saw him as the most likely candidate to unseat the incumbent Gribbs. "There's a feeling," it wrote in November 1972, as its focus turned to local politics with the conclusion of the presidential election season, "that he's the one man who can really bring together the black community and the white liberal community for a challenge to Gribbs, the establishment heavy."<sup>39</sup> In spite of the controversy surrounding STRESS, Gribbs resisted this characterization. He counted among his successes not only an increase in African American officers in the police department but an influx of federal money into the city and various downtown development projects. The combination of a tough on crime

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<sup>39</sup> Frank Angelo, "Mayoralty Race Shaping Up for '73," *Detroit Free Press*, November 15, 1972.

approach and downtown business revitalization would ultimately prove a winning combination for the two coalitions vying for power, albeit not with Gribbs at the head.<sup>40</sup>

“I think a white, centrist, liberal candidate can win this year,” Ravitz said, when he announced his candidacy for mayor at his annual fundraising dinner. The phrase suggested how Ravitz would position himself in relation to other candidates and the city’s two main voting blocs in the coming months. The first bloc consisted of the eighty percent of the city’s white electorate that preferred white candidates of a moderate to conservative bent. The ninety percent of African Americans who preferred black candidates or moderate to liberal white ones, and who made up ninety percent of the city’s black voters, made up the city’s second main voting bloc.<sup>41</sup> The experience of Richard Austin was heartening to Ravitz’s calculations. Austin had targeted his campaign at moderates across racial lines in 1969, and nearly triumphed. The city’s ever-evolving racial landscape gave Ravitz no small reason for optimism.

Still, even at this early stage, one could detect a quiver of doubt. “I think it will be very, very difficult for a black candidate or a white conservative to win,” Ravitz said in the same speech, “unless the city is polarized. If the lines are drawn along racial lines, then their chances would be enhanced. But if it comes to that,” Ravitz concluded, “God help our city.”<sup>42</sup> Here, Ravitz seemed to sense, even fear, that the tensions endemic to the

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<sup>40</sup> Clark Hallas, “Race for Mayor is Wide Open,” *Detroit News*, February 13, 1973.

<sup>41</sup> Robert Pisor, “Ravitz Feeling 2-Bloc Squeeze in Primary,” *Detroit News*, August 26, 1973.

<sup>42</sup> Robert Pisor, “Broad Support Puts Ravitz in Favorite’s Role,” *Detroit News*, February 13, 1973.

New Deal coalition could seriously undermine his own candidacy, particularly if a viable African American candidate, one that could command a substantial proportion of the city's black electorate, entered the race. Ravitz reasonably hoped to avoid a racially polarizing campaign, for its effect both on the city at large and, of course, on his own political fortunes. But by 1973, Detroit was as contentious a city as it had ever been in its history, and Detroit's African American community believed that the city was ready for a black mayor.

### ***Building a New Detroit***

A reliable form of law and order was as important to Detroit's political and economic elite as it was to electoral constituencies throughout the 1960s. In the immediate aftermath of the 1967 rebellion, that elite began making plans to recover from the damage. These began with the formation of what would become New Detroit, Inc., "the nation's first 'urban coalition.'"<sup>43</sup> New Detroit sought to ameliorate the social ills that it believed contributed to the outbreak of the uprising by using private funding for public projects. Under the bipartisan guidance of Democratic Mayor of Detroit Jerome Cavanagh and Republican Governor of Michigan George Romney, New Detroit brought business and labor leaders together with members of the black community that included middle class professionals as well as militant nationalists to form what its members

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<sup>43</sup> "New Detroit, Inc. — 9 Years After July, 1967," *Michigan Chronicle*, August 14, 1976. The following discussion of New Detroit, Inc., as a public-private partnership from which later growth coalitions emerged draws from Helen Graves, "New Detroit Committee/New Detroit, Incorporated: A Case Study of an Urban Coalition, 1967-1972," (Ph.D. dissertation, Wayne State University, 1975); and Fine, 320-22; 425-51.

hoped would be an innovative urban coalition. Cavanagh convinced Joseph L. Hudson, Jr., head of the Hudson's department store company, to head New Detroit, and Hudson set about recruiting influential members of the Detroit community to participate in the project. The Greater Detroit Board of Commerce, consisting of almost four thousand local businesses, professional, and industrial concerns, had already concluded that the city "could not be rebuilt by government effort alone."<sup>44</sup> A 1967 memo from a Ford Motor Company executive involved in New Detroit proposed a number of objectives for the New Detroit committee. These included "organiz[ing] increasingly large-scale direct business involvement in urban problems through profit, as well as public service oriented, activities" and "mobiliz[ing] the political power of business, labor, and the community as a whole, to develop and fight for desirable legislation at the federal, state, and local levels."<sup>45</sup> New Detroit, then, was an attempt to forge a public-private partnership to collaborate on that project.

One thing the rebellion had demonstrated to local elites was just how much distance separated poor and working class African Americans from those organizations that claimed to represent them. This was a distance with a long history, embedded within the politics of racial uplift and respectability. Sidney Fine observed this tension in the origins of the 1967 rebellion. Angered at the proliferation of blind pigs — afterhours

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<sup>44</sup> Fine, 320.

<sup>45</sup> Graves, 269.

drinking spots that circumvented city liquor laws — many middle class African Americans likely agreed with Hubert Locke’s characterizations of them as “the haunts of off-duty prostitutes, pimps, narcotics peddlers, and out-of-towners looking for a little action.”<sup>46</sup> But Locke, a local minister who had begun working closely with the Detroit Police Department in the 1960s, fell wide of the mark. According to Fine, after blacks gained access to white drinking facilities in the 1940s, blind pigs emerged as important social institutions for the city’s black working class. These tensions marked the black community at the outset of the disturbance, and they continued while it reached its apogee. Responding to requests from police to intervene in the unrest, many civil rights groups had attempted to calm the streets at the height of the rebellion, with little success. Congressman John Conyers, when he attempted to mount an abandoned car and address a crowd, had bottles thrown at him. Police Commissioner Ray Girardin, in a phrase that unintentionally evinced the class dynamics at play in the rebellion, observed that Conyers and other black peace patrollers were “practically white when they came back.”<sup>47</sup>

In recruiting community members to New Detroit, then, Hudson cast a wide net. Over the objections of more moderate African Americans, Hudson included three black militants among the nine African Americans he appointed to his thirty-nine-member

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<sup>46</sup> Fine, 155.

<sup>47</sup> Fine, 169.

committee. Committee members were an influential cross section of Detroit's social, economic, and political elite. When it incorporated a year later, the people involved included the president of the Michigan Bell Telephone Company, major real estate owners in the City of Detroit, officials of the Detroit Public School system, representatives of all three of the major automobile companies, the city's most important retailers, city councilors and representatives of the African American community.<sup>48</sup> Perhaps most important among these people were Coleman Young, then a state senator, and Henry Ford II, who had committed \$350 million to the development of the Renaissance Center in downtown Detroit and was arguably, "the most important private sector face in Detroit's loose coalition of growth interests."<sup>49</sup>

This concatenation of interests — major stakeholders in the city's communications and education infrastructure, manufacturers and real estate owners invested in downtown, and retailers heavily invested in commercial shopping outlets in the city, as well as important political leaders in the city and the community — constituted what political scientist John Mollenkopf has identified as a growth coalition.<sup>50</sup> Mollenkopf argues that growth coalitions emerged in most older cities in the Northeast and Midwest in the United States during the postwar period. Driven by what he calls "political entrepreneurs" — generally Democratic presidents — these coalitions

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<sup>48</sup> Graves, 126.

<sup>49</sup> William J.V. Neill, "Lipstick on the Gorilla: The Failure of Image-Led Planning in Coleman Young's Detroit," *International Journal of Urban and Regional Research* 19, no. 4 (December 1995): 644.

<sup>50</sup> John H Mollenkopf, *The Contested City* (Princeton, N.J.: Princeton University Press, 1983), 3.

used federal largesse in the form of domestic urban development programs to stitch together the disparate political constituencies that the New Deal coalition had torn from the social fabric during the political instability of the 1930s. These programs introduced national politicians into local politics on a scale previously unknown in the history of the country's cities. In doing so they integrated local politicians, administrators of federal programs, and the beneficiaries of those programs into a new national political framework. Soon, Republicans, too, learned to take advantage of this new method of building political constituencies. With their political ascendancy at the end of the 1960s, Republican growth coalitions challenged federal largesse for infrastructural projects away from the North and Midwest and toward the South and Southwest. Through the block grant funding included in the Omnibus Crime Control and Safe Streets Act of 1968, Republican lawmakers channeled what money was dispersed to municipalities through state policymakers. Doing so diminished the political power of cities with growing minority populations while increasing that of state legislators more sensitive to white and suburban interests. At the same time, northern and Midwestern towns that saw federal funding for the traditional growth-driven projects saw an influx of funding geared toward fighting wars on crimes and drugs in those regions' urban areas.

A similar process had been at work in Detroit since the end of World War II. Indeed, it was these tensions that informed mayoral contests in Detroit throughout the 1940s and 1950s. The 1949 election captured these tensions. On one side were the

traditional adherents of the New Deal coalition — labor unions, white liberals and Democratic Party members, and the city’s African American population — represented by George Edwards. This coalition favored federally funded public housing projects for the city’s impoverished residents. They squared off against Republicans, white homeowners groups, and real estate and development interests in the city, who strongly opposed public housing and instead sought federal money for urban renewal projects that would displace vast swaths of African American residents. Albert Cobo, a former executive for a utility firm and fiscal conservative, was the Republican candidate. Between these two competing visions, electoral politics decided. In a union town, Cobo shocked many when he defeated Edwards for mayor. What the UAW hadn’t counted on was the power of public housing — Edwards’ main campaign issue — to alienate working class whites.

***Between Superfly Suits and Silver Badges: Coleman Young’s  
“Law and Order, with Justice”***

In 1973, Coleman Young believed he was the candidate the city’s African American community sought. Moreover, his political acumen was at least as honed as that of Ravitz, and he had never been one to shirk controversy. Before Young could run for mayor, however, he had to overcome an obstacle that had nagged his political aspirations for many years: a provision in the Michigan Constitution that barred state elected officials from running for municipal offices. At stake was Article IV, Section 9, which read: “No person elected to the Legislature shall receive any civil appointment

within this state from the governor ... from the Legislature or from any other state authority during the term for which he is elected.”<sup>51</sup> Young had challenged the same provision in 1969 and lost. At that time, he had argued that he was seeking not a political appointment, but the mandate of “the people” to serve as their mayor.

In 1973, Young pursued a different line of argumentation. Noting that the 1969 mayoral election from which he had been barred was decided between incumbent Wayne County Sheriff, Roman Gribbs, and Richard Austin, an incumbent Wayne County auditor, Young’s lawyers mounted a more powerful attack on the law. This time, Young’s arguments prevailed. On May 10, 1973, in a decision written by former Democratic Governor of Michigan and New Deal loyalist John Swainson, the Michigan Supreme Court sided with Young, clearing the way for his mayoral campaign, albeit just four months before the primary election.<sup>52</sup>

Young’s victory in this regard held important consequences for the city of Detroit in the midst of the metropolitan realignment then taking place in southeast Michigan. In making his case for a constitutional right to run for mayor of Detroit, Young argued against lawyers representing the city itself, and the crucial issue at stake was whether the mayor of Detroit was a local or state official. Young argued the former, while the City of Detroit argued that it was indeed a state position and carried state authority. By

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<sup>51</sup> Robert Pisor, "Is Detroit's Mayor Local or State Official?" *Detroit News*, April 6, 1973.

<sup>52</sup> *Ibid.* Swainson was a longtime political ally of Frank Murphy, G. Mennen Williams, and James Lincoln.

successfully challenging and defeating the city's claim that the office was a state one, Young cleared the way for his mayoral campaign by severing the constitutional link between the City of Detroit and the State of Michigan. His timing could not have been more inauspicious. Although he rightly claimed as one of his most important qualifications the close ties he had cultivated during his tenure as a state senator in the state capitol at Lansing and in Washington, D.C., Young underestimated the impact that demographic changes would have on local, state and national politics. As a result of the 1970 census, Detroit had lost five seats in the Michigan House of Representatives.<sup>53</sup> Those positions had shifted to the suburbs, and in the years to come, they would be occupied by elected officials who were far from sympathetic to Detroit's plight. Moreover, with Detroit's tax base declining precipitously due to decentralization of the automobile industry away from the city center to the suburbs or points south, the city found itself increasingly reliant on that very state legislature.

The national scene offered Detroit still less comfort. In addition to the Safe Streets Act and its redistribution of political power, the Nixon administration was in the midst of the national realignment that sought to direct federal funding toward the South and Southwest. Its intentions were made clear when Nixon opposed then Secretary of Housing and Urban Development, and former Michigan Governor George Romney, in his efforts at suburban integration. The Nixon administration's urban policy also had no

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<sup>53</sup> David Cooper, "Detroit's Power in Lansing is Shrinking," *Detroit Free Press*, July 26, 1973.

room for increasing federal funding for mass transit. In April 1973, President Nixon announced his "Better Communities Act." A *New York Times* article at the time argued that the program's goal was to shift federal patronage away from deteriorating urban and Democratic strongholds and toward the growing suburbs.<sup>54</sup> Over time, Nixon succeeded in ending the Model Cities program so closely associated with Detroit, as well as other urban programs. These efforts ultimately contributed to the revivification of Republican coalition politics nationally, capitalizing on a development that had long been accomplished locally by prying working class white votes from the Democratic Party's grasp.

Young's legal victory, then, came during a significant realignment of the coalition politics that had emerged with the Great Depression, as urban areas in the North saw their influence begin to diminish. While the city's decline had long been under way in the demographic battle and its loss of critical manufacturing employment, severing the City of Detroit from the state simply affirmed the "home rule" position the suburbs had long been developing. The ruling allowed the suburbs to continue to pursue their own interests to the detriment of a metropolitan approach that would include Detroit. Though Coleman Young argued that Detroit was not losing a state senator but gaining a mayor, in fact both were true.<sup>55</sup> Moreover, as an important member

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<sup>54</sup> Editorial, "Urban Losers," *New York Times*, April 27, 1973.

<sup>55</sup> Editorial Board Interview with Coleman Young, "Young: Rebuild, Reunite City; Make Police Part of the People," *Detroit Free Press*, August 20, 1973.

of the state's Democratic Party, Young had exercised inordinate influence statewide, influence he wielded time and again in Detroit's favor. Whatever Detroit gained with Young as mayor, it certainly lost an important state advocate at a crucial moment in the changing relationship between city and suburbs.

With his candidacy no longer in question, Young was free to do right what Cavanagh and Gribbs had done poorly or not done before him: govern an increasingly African American city with a new approach to the critical issue of crime control and prevention. The promise of social peace through police reform led by African American elected officials was an important factor in Kenneth Gibson's election as mayor of Newark in 1970. Like Detroit, Newark had been riven by urban unrest in 1967. Complaints about police brutality surfaced regularly, and police reform was an important theme of Gibson's campaign. One of the most popular, and controversial, election materials Gibson and the Community Choice slate he headed used during his campaign depicted an African American child killed during the Newark rebellion by white police, lying dead in his own blood. It was accompanied by the caption, "Don't let this happen again — vote."<sup>56</sup> Entertainer and activist Harry Belafonte referred to the same incident during a rally in the run-up to the election when he told the crowd, "I'm here because I don't want to see another black child lying bloody in the street here in

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<sup>56</sup> For a discussion of Gibson's electoral campaign, see Komozi Woodard, *A Nation Within a Nation: Amiri Baraka (LeRoi Jones) & Black Power Politics* (Chapel Hill: University of North Carolina Press, 1999), 140-50.

Newark. There'll be no more rioting in this city." And Rev. Ralph Abernathy of the Southern Christian Leadership Conference endorsed Gibson by saying, "Today we are marching against repression and tomorrow we are going to get registered to vote against repression." With these endorsements and a slew of others from across the United States, as well as an energetic local campaign, Gibson was elected mayor of Newark on June 16, 1970, defeating incumbent Hugh Addonizio by a wide margin.

Young drew on a similar sentiment when he announced his campaign. Calling a press conference the same day the Michigan Supreme Court ruled in his favor, Young sent shockwaves through what had until then been a drowsy campaign season when he immediately announced that his first act as mayor would be to fire Detroit Police Department Commissioner, John Nichols.<sup>57</sup> Young claimed in the same speech that the city under Gribbs and Nichols experienced a "blackjack rule of terror." It was these incendiary comments that people remembered in the weeks that followed. But alongside this decisive stand against police misrule, Young also demonstrated that he aspired as well to be a candidate of a more just form of law and order, somewhere between the approaches of his mayoral predecessors. This approach promised both a reform candidate willing to root out police corruption and mitigate brutality and a law-and-order candidate willing to deal harshly with criminals of all colors, and it characterized Young's campaign from the outset. During the same press conference, Young promised

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<sup>57</sup> Robert Pisor, "Coleman Young Set for Mayor's Race," *Detroit News*, May 11, 1973.

to “professionalize” the Detroit Police Department, increase officers’ salaries, and hire more police. He aligned himself with a liberal law and order position by calling for more African American officers and promising a civilian review board to handle citizen complaints. These demands were familiar to even casual observers of the Detroit political scene as core reforms demanded by the grassroots campaign in opposition to the city’s infamous STRESS program in the preceding years.<sup>58</sup>

Young’s approach anticipated Nichols’ entry into the mayoral race. Though an official announcement wouldn’t come for several months, Young had deduced that Nichols would indeed enter the fray and lay claim to the incumbent Gribbs’ main constituency — white homeowners. As Gribbs’ police commissioner, Nichols was a natural choice as law and order successor when Gribbs bowed out. A *Detroit Free Press* article covering Young’s press conference noted that his statement was “clearly ... an attempt to make the mayor’s race a show-down between himself and Nichols on the issue of law and order.”<sup>59</sup> When Young announced his campaign, he simultaneously set the terms of the coming campaign, put policing at its center, and made a powerful case as a more viable law-and-order candidate than the city’s own Police Commissioner.

Casting himself as a reform candidate of law and order was, in the context of the shifting sands of city-state and city-nation relationships, either quite fortuitous or

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<sup>58</sup> Dan Georgakas and Marvin Surkin, *Detroit: I Do Mind Dying: A Study in Urban Revolution*, Rev. ed. (Boston: South End Press, 1999); Heather Thompson, *Whose Detroit?* 81-102; 198-99.

<sup>59</sup> Remer Tyson, “Sen. Young Opens Race for Mayor,” *Detroit Free Press*, May 11, 1973.

extraordinarily shrewd: While money for social welfare programs in urban areas diminished, crime prevention became, throughout the 1970s and particularly in the 1980s, one of the most reliable sources of federal funding for the nation's cities. Of course, it may also simply have represented good politics, an attempt to ingratiate himself with the Nixon administration on the issue of crime.<sup>60</sup>

If Young's initial entry into the campaign suffered an uneven reception, two months later, when he officially launched his campaign, he had honed his message into an alluring sound bite — "law and order, with justice" — combined with what he termed a "people's police department." What had failed for Hubert Humphrey during his 1968 presidential bid, Young hoped, held promise for his own mayoral campaign. "The key to a successful combat on crime," Young said while announcing his program, "is the understanding that law and order — with justice — cannot be imposed without the cooperation and the confidence of the people."<sup>61</sup> This concept, with its origins in the liberal law-and-order tradition, deftly combined the two perspectives he initially articulated. Again, Young noted that he would be as tough at rooting out street crime as he would be at attacking corruption in the police department. Indeed, he argued that the two were intimately connected. "Detroit has as many law violators who wear blue uniforms and badges as it has criminals wearing knit shirts and Super Fly outfits. I don't

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<sup>60</sup> Remer Tyson, "Sen. Young Vows Law-Order Stand," n.d., *Detroit Free Press*, Coleman A. Young Collection, Part II, Box 106, Folder 14 (July 1973). Archives of Labor and Urban Affairs, Wayne State University, hereafter CAYC.

<sup>61</sup> Robert Pisor, "Young Opens Race, Vows 'People's Police'," *Detroit News*, July 11, 1973.

think dope out in our community could be so prevalent without the collusion of the police department. The indictment of policemen in the 10th Precinct for alleged dope trafficking represents just the tip of the iceberg."<sup>62</sup> These statements demonstrated a sophisticated rebuttal to criticisms that had emerged since Young's initial sharp attack on the Detroit Police Department, when his attempt to appear as much a candidate of law and order as one of police reform got lost in his rhetorical flourishes. The tension encapsulated in these words, "law and order, with justice," would come to characterize his campaign, becoming its veritable refrain.

It was a tension a black candidate was perceived as uniquely situated to exploit. Young's main competitor for the city's African American vote was Edward Bell, a dynamic candidate with his own impressive history of public service. Bell himself recognized this appeal. "There is no way a Nichols, Ravitz or Mogk [a third white candidate] can effectively recruit black officers," Bell argued, "because of all the distrust in minority neighborhoods. A black mayor's unique contribution is that he can talk about vigorous, effective law enforcement without the black community getting uptight. When a white mayor says vigorous and effective, it doesn't mean fair."<sup>63</sup> Another perspective that both candidates shared was a sense of the importance of the black community to this new approach on crime. Not only did Young view community

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<sup>62</sup> Edward Boyer, "Candidates Air Views on Police," *Detroit Free Press*, August 5, 1973.

<sup>63</sup> Robert Pisor, Pat Murphy, Joan Walter, James Kenyon, "The Race for Mayor: Where They Stand," n.d., *Detroit News*, Box 106, Folder 15, CAYC.

involvement in policing as crucial to the success of his new approach, he also emphasized the plight of African American victims of crime. He would later go so far as to state that a black candidate had a “moral obligation” to fight crime, given the preponderance of African Americans as its victims.<sup>64</sup>

The results of the primary election validated Young’s instinct. Caught between racially polarized electoral blocs, Young defeated Ravitz soundly to secure the second of two spots on the general election ballot, along with Nichols, the first place candidate. This spelled the end of Ravitz’s political career in the city, defeated twelve years after his initial success as a candidate of the New Deal coalition by that same coalition’s shifting sands. Ironically, the UAW endorsement of Ravitz’s campaign, and the tension it unleashed within the African American community, as many preferred a black candidate, may have ultimately contributed to his defeat. Close observers of the primary election claimed that the role of the UAW in undermining and even physically attacking wildcat strikes by mostly African American workers in the Chrysler factories around the city in the weeks leading up to the election was a decisive influence on Ravitz’s loss. One of those observers was Dennis Archer, Bell’s campaign manager and eventual successor to Young as mayor of Detroit after Young’s twenty years in office. “The UAW denying Young an endorsement,” the *Free Press* reported Archer as saying, “coupled with the

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<sup>64</sup> Robert Pisor, “Young - A Student of the Streets; New Mayor Shares Crime Victims' Concerns,” *Detroit News*, November 7, 1973.

work stoppages by mostly black workers in the city's Chrysler plants, triggered a revolt on the part of the rank-and-file black members 'that appears obviously to have gone to Coleman.'<sup>65</sup> Jim Ingram, columnist for the city's African American weekly newspaper the *Michigan Chronicle* agreed. "Grassroots people do vote," Ingram wrote. "They vote their minds in spite of the UAW, as the rank-and-file support of George Wallace in the last presidential election clearly shows, over UAW support of other candidates."<sup>66</sup> The latter referred to George Wallace's victory in the Michigan Democratic Presidential Primary Election over George McGovern in 1972, an indication of the appeal Wallace enjoyed among white working class people in metropolitan Detroit.

Edward Bell's political hopes also fell with Young's success, suggesting the importance of class within the Black community in Detroit. Young's "bedrock" of political support came from blue-collar black autoworkers and skilled tradesmen.<sup>67</sup> An article in the *Detroit Free Press* following the primary election noted that Young's personal biography resonated deeply with Detroit's African American community.

If the history of Detroit's black community is anything, it is a chronicle of struggle. How a candidate is perceived in terms of that struggle by black voters determines to a large extent, many black observers believe, how well he can pull votes in the black community. Coleman Young, perhaps as much as any black public figure in Detroit, is a recognized veteran of those struggles. He was a child of the CIO, a soldier of the bloody UAW organizing struggle of the '40s. He took his basic training in politics when the industrial working class was being forged as the bedrock strength of the Democratic Party, and suffered the Red-baiting campaigns of the 1950s.<sup>68</sup>

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<sup>65</sup> Marco Trbovich, "Polished Bell No Match for Warrior Young," *Detroit Free Press*, September 13, 1973.

<sup>66</sup> Jim Ingram, "Like It Really Is," *Michigan Chronicle*, September 1, 1973.

<sup>67</sup> Rich, 273.

<sup>68</sup> Marco Trbovich, "Polished Bell No Match for Warrior Young," *Detroit Free Press*, September 13, 1973.

Anecdotal evidence from Jim Ingram confirmed this assessment. In one column, Ingram wrote that black Detroiters saw Young as "still a street blood deep down."<sup>69</sup> In another, Ingram reported a conversation with a heroin user, who believed "Young can help us because he knows street people. He can communicate with all levels of people and not lose his own perspective."<sup>70</sup>

Bell himself had done journeyman's work as a civil rights proponent. But his achievements primarily benefitted the black middle class, and "no matter how valid these pursuits were, lawyers are still of the middle class, and Detroit's voters in overwhelming numbers are working class people, black and white." Longtime Detroit radical Ken Cockrel shared this assessment. "Ed was seen by (black) people as an individual who did not have a history of what could even begin to approximate struggle in this city. Coleman does. He is a guy from Black Bottom who came up the way the guys in the (auto) shops are coming up, and they could relate to that. Folks didn't trust Ed Bell. They looked at him as too slick, too polished." Thus the choice of Young manifested latent class tensions within Detroit's black community that Young had long ago learned to turn to his own advantage through his version of proletarian uplift.<sup>71</sup>

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<sup>69</sup> Jim Ingram, "Like It Really Is," *Michigan Chronicle*, September 1, 1973.

<sup>70</sup> Jim Ingram, "The Drug Scene," *Michigan Chronicle*, September 1, 1973.

<sup>71</sup> Marco Trbovich, "Polished Bell No Match for Warrior Young," *Detroit Free Press*, September 13, 1973.

With Ravitz out of the race, Young inherited the “uncommon alliance” that had begun to cohere around him.<sup>72</sup> It consisted not only of the UAW and the black community, once again allied after Ravitz’s defeat, but also increasingly Republican business elites in the city. This was perhaps less strange given the rapprochement between the labor movement and business elites sealed with the “Treaty of Detroit” in 1955. Moreover, it signaled the hopes that business leaders were beginning to place in Coleman Young’s vision of “law and order, with justice” as a solution to the crisis of social instability in the city.

### ***Courting Growth Through Law and Order: The 1973 Mayor’s Race***

Young’s triumph over Ravitz and Bell in the primary set up a high-stakes contest between himself and Nichols in the general election. One contemporary article powerfully captured those stakes. “It will be a test of whether the nation’s fifth-largest city, with its population about evenly divided between blacks and whites, will choose for its next mayor a basically conservative career cop or a liberal black civil rights leader.”<sup>73</sup> According to the same article, although both candidates struck a conciliatory tone publicly, the centrality of police reform to the campaign virtually guaranteed a racially divided electorate, “for that’s precisely the shape the issue takes.” At the outset

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<sup>72</sup> Remer Tyson, “3-Way coalition May Boost Ravitz; Business, Blacks and Labor,” *Detroit Free Press*, 29 July 1973.

<sup>73</sup> Remer Tyson, “Nichols vs. Young: Battle Royal; Fiery Campaign Assured,” *Detroit Free Press*, September 13, 1973.

of the campaign, observers believed that a relatively evenly divided electorate favored Nichols, as whites voters were believed to make up fifty-five percent of total registered voters. But a study conducted by the *Detroit News* shortly after the primary vote revealed an unclear demographic picture, with whites holding a miniscule advantage. The *Detroit News* attributed this dramatic change to white outmigration to the suburbs, higher voter registration among African Americans, a younger black population, and the recently lowered voting age.<sup>74</sup> But above all, the study revealed that the 1973 election was anyone's game.

As they had during the primary campaign, police reform and crime prevention dominated the debate.<sup>75</sup> Mayor Gribbs added to the atmosphere when, two weeks into the general election campaign, he fired Nichols as police commissioner.<sup>76</sup> The move came amid calls for Nichols to resign his position, citing fears of a conflict of interest. Nichols no doubt wanted to retain his position in case he lost his bid for mayor, but hedging in this way raised precisely the fears of the police running the city that Young had given voice to months earlier. Young quickly turned the incident in his favor. "Can you imagine such a man as mayor," Young asked, "a position where no one could fire

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<sup>74</sup> The *Detroit News* calculated the white voting advantage at 50.5 percent to 49.5 percent. Robert Pisor and Clark Hallas, "Blacks Gain Voting Strength in Detroit," *Detroit News*, September 12, 1973.

<sup>75</sup> For a related discussion of Young and Nichols sparring on FBI statistics, as well as the role of crime in the mayoral campaign, see Heather Thompson, *Whose Detroit?* 198-99.

<sup>76</sup> Robert Pisor, "Nichols' Firing: Will It Aid or Hurt His Drive for Mayor?" *Detroit News*, September 23, 1973.

him when he refused to listen to the people?"<sup>77</sup> The contrast between the two candidates could hardly have been more aptly demonstrated — a “people’s police department” against a police commissioner who “refused to listen to the people.”

Young also turned the incident to his advantage in more substantive ways. In a stump speech on crime he delivered in mid-October, Young declared Detroit the country’s “murder capital.” Using FBI crime statistics, he made the case that with Nichols as police commissioner, “the story [was] one of a job that simply was not done.”<sup>78</sup> Those statistics showed that total crime in the city had increased fourteen percent from 1968 to 1972. Moreover, they suggested that between the first quarter of 1972 and the first quarter of 1973, homicides had increased thirty-one percent, rapes twenty-nine percent, and aggravated assault ten percent. Young cited a *New York Times* article from October 16, 1973, claiming that the numbers on homicides and robberies were particularly significant. The former because of their accuracy, and the latter because they so often involved violence, and as a result “give a good indication of the overall crime climate of a city.”<sup>79</sup> In putting these statistics to this political use, Young ignored the express purpose of the article he cited — that comparisons between different

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<sup>77</sup> Ibid.

<sup>78</sup> Crime Summary Speech, n.d., Coleman A. Young Collection, Part II, Box 107, Folder 3. Archives of Labor and Urban Affairs, Wayne State University.

<sup>79</sup> David Burnham, “How Safe Is the City? Statistics Can Mislead,” *New York Times*, October 16, 1973.

cities can be misleading. Moreover, he ignored the trenchant criticism of the FBI's Uniform Crime Report statistics that had developed long before.<sup>80</sup>

A campaign flyer titled, "Can YOU live with Detroit's Crime Rates?" reiterated this theme, and asserted that with crime rates rising in numerous significant categories, "JOHN NICHOLS DID NOT DO THE JOB!"<sup>81</sup> Faced with this harsh criticism, Nichols was reduced to a defensive posture, arguing that the statistics per 100,000 residents indicated that Detroit had less crime than Atlanta, and that, based on the same criteria, overall crime had actually decreased since 1968.<sup>82</sup> In spite of this harsh criticism of the Detroit Police Department's chief executive, Young was conciliatory toward rank-and-file police officers, stating most of the department's corruption could be attributed to just a few bad officers. Framing the issue in this way enabled Young to place still more of the blame for the dismal crime numbers on Nichols, arguing that the failings of a corps of mostly "good" police should be attributed to ineffective leadership.

Here, Young also outlined in some detail the reforms he planned to institute in the department. These included more officers walking beats in neighborhoods, which he planned to achieve by shifting non-enforcement work to the civilian volunteers he hoped would become an active part of his "people's police force." Young also proposed

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<sup>80</sup> See Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2011), 241-48; 255-57; 266-67.

<sup>81</sup> Pat Murphy, "Nichols and Young Outline Plans for Rebuilding Detroit," *Detroit News*, October 26, 1973, Folder 5, Box 182, Coleman A. Young Papers, Charles H. Wright Museum of African American History, Detroit, MI.

<sup>82</sup> Pat Murphy, "Nichols Disputes 'Murder Capital' Title," *Detroit News*, October 20, 1973.

improved training for officers; on-the-job developmental counseling related to professionalism and community relations; new requirements holding supervisors accountable for the actions of their subordinates; hiring outside experts to advise the department; and improving recruitment programs in order to make the racial composition of the police reflect that of the city as a whole. These kinds of institutional reforms aligned Young not only with the institutional reforms advocated by President Truman but with the professionalization of Progressive Era police reforms.<sup>83</sup>

Central to Young's vision of a "people's police department" was a proposal to create dozens of police mini-stations throughout the city, integrated into the neighborhoods and funded by state and federal grants. This proposal suggested that Young sought an attempt to revitalize a New Deal coalition to which liberal law and order was central. "The People and the Police Will Work Together," Young called one proposal for his reformed and reorganized police department. This proposal outlined his mini-station program and with it, Young made clear that mini-stations would become the initiative most closely associated with his effort to create a "people's police department." This proposal also included cadet training programs in Detroit high schools and a citizen review board to handle citizens' complaints. Closely related to this was a second proposal for a "Peoples Crime Prevention Crusade," into which he hoped

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<sup>83</sup> For a discussion of the different eras of police reform, see Edward J. Escobar, *Race, Police, and the Making of a Political Identity: Mexican Americans and the Los Angeles Police Department, 1900-1945* (Berkeley: University of California Press, 1999), 156-62.

to recruit “a great corps of citizen volunteers.” As later documents indicate, this proposal was in some ways an effort to solve the city’s budget and crime problems at the same time. These proposals emphasize the liberal law and order that informed Young’s approach to police reform. Young further bolstered his law-and-order credentials by proposing harsh laws for drug traffickers — soon after, he included “more intensive undercover investigations” as part of his “war” on high profile drug dealers<sup>84</sup> — as well as legislation guaranteeing compensation for crime victims, an increasingly popular element of law-and-order rhetoric.

It was after this speech that Young saw his support in the business community grow. “Our people sat down privately with the senator and decided he was not the wild-eyed radical he’d been painted to be,” one business leader commented soon after.<sup>85</sup> With little experience in higher office and a terse demeanor, Nichols made a less favorable impression. Young pressed this advantage in a debate before the Detroit Economic Club several days later. There, he presented a Ten-Point Program that included his now well-defined position on police reform alongside numerous proposals for the economic development of Detroit.<sup>86</sup> Among these points were a proposed Urban Economic Development Authority able to issue industrial revenue bonds to firms that located in Detroit, proposals to revitalize downtown Detroit as an entertainment district,

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<sup>84</sup> Speech to Detroit Economic Club, October 29, 1973, Coleman A. Young Collection, Part II, Box 107, Folder 2. Archives of Labor and Urban Affairs, Wayne State University.

<sup>85</sup> Robert Pisor, “Young Finds New Support — Business Chiefs,” *Detroit News*, October 24, 1973.

<sup>86</sup> Speech to Detroit Economic Club, October 29, 1973.

and a call for community assistance to small businesses in the city. In his concluding remarks, Young made an appeal to manufacturers, retailers, supermarket chains, and finance and banking executives to "put your money where your roots are, for if your roots are not nurtured and protected, your branches will die."

That Young unveils this plan, with its combination of economic policy and his now characteristic approach to law and order, before some of the city's most influential political and economic figures, is telling. With his appeal among businessmen growing, Young makes a strong case for his ability to establish what seemed to many a prerequisite of a revitalized downtown area: crime control. Tom Bradley held similar appeal for downtown development interests when he was elected mayor of Los Angeles in 1973. A former police officer, Bradley was at one point the "standard bearer of the most liberal wing of Southern California Democracy."<sup>87</sup> That association proved little detriment, however, to his sharing, "to an astonishing extent the same developer financial base as leading local Republicans." Among Bradley's most important coalition partners was the *Los Angeles Times*, a significant political player in the city throughout the twentieth century. Like Bradley, Young's appeal lay in the promise of social peace, a sharp departure from the tumultuous 1960s. But unlike Bradley, Young embodied a proletarian ethos into his promise to control the city's insurgent streets. Just before the

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<sup>87</sup> Mike Davis, *City of Quartz: Excavating the Future in Los Angeles* (London: Verso, 2006), 133-34; 179.

election, Young commented to one reporter, "Hey, who better than a black mayor can deal with the dudes on Dexter, on Livernois, and start turning things around?"<sup>88</sup>

It's no surprise, then, that this speech provoked Nichols' "harshest attack of the campaign."<sup>89</sup> The mix that Young offered was a tantalizing one: neither the tepid liberalism of Jerome Cavanagh, unable to contain black revolt and at the same time unwilling to respond forcefully to it, nor the politically untenable cudgel of Gribbs or Nichols, responsible for so much outrage, when not bloodshed, in the African American community. Young traversed each of these positions, and strove to implement a combination of both that was at the same time something new. Soon after his speech at the Detroit Economic Club, Young received praise from Patrick Murphy, a former Detroit police commissioner and "policeman's policeman" then serving as president of the Washington, D.C.-based Police Foundation. Murphy told reporters he was "very impressed with his knowledge of the important issues of crime control and police administration."<sup>90</sup> In addition, Murphy spoke highly of Young's proposed "people's police department," saying that "programs to bring police officers closer to the citizens [are] a major goal of police administration."

This may explain what happened next. Just days after their debate at the Detroit Economic Club, a half page ad appeared in the *Detroit News* reviving McCarthy-era

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<sup>88</sup> Robert Pisor, "Young - A Student of the Streets; New Mayor Shares Crime Victims' Concerns," *Detroit News*, November 7, 1973.

<sup>89</sup> Remer Tyson, "Nichols and Young Trade Barbs," *Detroit Free Press*, October 30, 1973.

<sup>90</sup> Robert Pisor, "Young Impresses Ex-Police Chief," *Detroit News*, November 2, 1973.

allegations that Young was a communist. It questioned Young's patriotism, and also accused him of misusing his State Senate franking privileges to distribute campaign material. Placed by "Citizens for Honesty in Government," the ad was quickly traced to Gregory Donovan, Nichols' chief fundraiser and campaign treasurer, who abruptly resigned.<sup>91</sup> These allegations had dogged Young throughout the campaign. Months earlier, during the primary campaign, a community newspaper on Detroit's northeast side ran a front page story declaring, "Negro Communist Seeks Election."<sup>92</sup> The ad, then, was by no means isolated, and in fact played directly to Nichols' core constituency. This incident demonstrated the strained position Nichols occupied in the campaign.

While virtually embodying law and order as the police commissioner responsible for the STRESS program, he found himself badly losing the rhetorical battle on these very grounds. Moreover, while his claimed desire to avoid polarizing the campaign around race was demonstrably false, at the same time he found it difficult to take more hardline positions in a city with Detroit's past, and present.<sup>93</sup> This was evident throughout the campaign. Even before he declared his candidacy, he denied being a law and order candidate. "There are more law-and-order candidates than there are laws and

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<sup>91</sup> Marco Trbovich and Remer Tyson, "Nichols Aide Quits in Smear," *Detroit Free Press*, November 3, 1973.

<sup>92</sup> "Negro Communist Seeks Election; Congress Identifies Coleman Young as Communist," *Harper Woods Herald*, August 2, 1973, Coleman A. Young Collection, Part II, Box 106, Folder 14. Archives of Labor and Urban Affairs, Wayne State University.

<sup>93</sup> Remer Tyson, "Nichols Calls for Racial Harmony," *Detroit Free Press*, September 14, 1973.

orders," he told the *Detroit Free Press*, "I don't see myself in that particular category."<sup>94</sup> Elsewhere, Nichols aligned himself with a liberal Republican approach to crime that Nelson Rockefeller, one of the standard bearers of that party position at the time, had only recently abandoned. Nichols opposed the use of police crackdowns with "a lot of police making a lot of arrests,"<sup>95</sup> and supported methadone treatment as well as building a new hospital downtown, and increased support for the elderly.<sup>96</sup> Critical of Young's proposals for a people's police department and mini-stations, Nichols proposed instead a "Crime Seminar" that he claimed would "mobilize the full resources of the community." Even here, it is clear that Young's own proposals were having an effect on how Nichols himself spoke about crime prevention and law enforcement.

### ***"Let Us Stop Knocking and Start Selling Detroit": Coleman Young's Electoral Triumph***

When the election finally came, Coleman Young defeated John Nichols in a close contest in which race played the deciding factor – Nichols received ninety-one percent of white votes and Young ninety-two percent of the votes of African Americans.<sup>97</sup> *Detroit Free Press* journalist Remer Tyson summarized the election's implications for political power in the city. "The result," he said, "suggested that, after years of political speculation, the decisive balance of power in Detroit's elections indeed has moved from

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<sup>94</sup> Remer Tyson, "Nichols Criticizes Young's Campaign," *Detroit Free Press*, June 22, 1973.

<sup>95</sup> Pat Murphy, "Young, Nichols Clash on Police-Race Issue," *Detroit News*, November 5, 1973.

<sup>96</sup> Remer Tyson, "Nichols: Tough, with Candor," *Detroit Free Press*, n.d., Coleman A. Young Collection, Part II, Box 106, Folder 14. Archives of Labor and Urban Affairs, Wayne State University.

<sup>97</sup> Robert Pisor, "Strength of Black Vote Gave Young His Historic Victory," *Detroit News*, November 7, 1973.

the city's white working-class neighborhoods to the black communities in the inner and middle city."<sup>98</sup> Proposed revisions to the city's charter also received approval from voters, and the result would be a reorganization of the police department over the course of the coming year, introducing a board of police commissioners to oversee citizen complaints and replacing a relatively independent police commissioner with a police chief directly appointed by the mayor. In spite of Young's reformist zeal during his campaign, it was the city charter that appeared more threatening to police. "That's the real Pandora's Box," one officer commented.<sup>99</sup> "That part about the ombudsman is fantastic. Whoever gets that is going to be a real dictator." These measures posed a clear challenge to the sense of autonomy that police officers derived from the dictates of professionalism introduced into their jobs during Progressive Era reforms.

Young's election shifted the emphasis in the discussion about the future of black activism in the postwar United States. Just as Gibson's electoral success in Newark signaled a turn from "marching against repression" to voting against it, Young's election signaled police reform that, once accomplished, would brook considerably less criticism of state power. Young's liberal law-and-order approach provided a framework for this development.

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<sup>98</sup> Remer Tyson, "Balloting Split On Race Lines," *Detroit Free Press*, November 7, 1973.

<sup>99</sup> Rone Tempest, "Police Glum, But Accept Young," *Detroit Free Press*, November 8, 1973.

Like liberal law and order, Young sought to build a better carceral state. He did so through a series of police reforms — “law and order, with justice” and a “people’s police department.” Underlying these reforms, however, the logic of liberal law and order remained unchanged: Once police reform has been achieved, fault for criminal behavior transfers from sociological circumstances — the damage of racism — to individual choice. The rhetorical African American victim so central to liberal law and order’s critique transforms in this process, from the victim of police brutality to the victim of street crime carried out by other African Americans.

This shift in emphasis was evident soon after Young’s election. Only weeks after, Gerald Craft and Keith Arnold, two African American children, were kidnapped and murdered by three black men in a dispute that involved the city’s informal economy.<sup>100</sup> “On the streets,” a New York Times article about the killings observed, “in the black community where Gerald and Keith lived, there was a new and different reaction, an indication that for once, the city’s disparate groups were united on something.”<sup>101</sup> Coleman Young issued a statement in the aftermath of the murders calling “for a new commitment to reduce crime in Detroit” and put the onus on the black community. “No one of us can escape our collective responsibility to put an end to such senseless and terrible crime.” The tragedy, Young said, “clearly demonstrates the urgent need to

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<sup>100</sup> Bomani, interview by author, Detroit, MI, March 5, 2013.

<sup>101</sup> William Stevens, “2 More Killings Horrify Detroit; Boys of 6 and 8 Kidnapped and Then Shot in Head,” *New York Times*, December 9, 1973.

reexamine our approach to law enforcement. It shows dramatically that the police must earn from the people their confidence, respect and trust. The people, in turn, will look with new confidence and trust to the police.”<sup>102</sup> This incident highlighted the dynamics at play in Young’s plans for police reform. Positing involvement in the city’s informal economy as a threat to innocent African American victims, the incident mobilized public indignation to reform the police and wage war on crime.

Civil rights activists also contributed in shifting the emphasis from victims of police crime to victims of street crime. Larry Nevels, a longtime civil rights activist, former member of the Student Nonviolent Coordinating Committee and then-director of United Communities (Unicom), a local grassroots political organization, took the occasion of the murders to harshly condemn criminality in the black community. “Blacks who perpetrate crimes against their own people,” Nevels said, “or any people, are not our brothers, they are the enemy.”<sup>103</sup> In the era of black urban regimes, Nevels made black criminality the enemy of the black community.

Barry Hankerson, another community activist who participated in the grassroots United Black Coalition with Nevels, declared, “This is the last straw for the black community.” Hankerson’s response suggested the dramatic shift that had already taken place in the activist community following Young’s election. The United Black Coalition,

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<sup>102</sup> James Graham, “Young Plea to Citizens: Rid Detroit of Crime,” Detroit News, December 7, 1973, Folder 5, Box 182, Coleman A. Young Papers, Charles H. Wright Museum of African American History, Detroit, MI.

<sup>103</sup> James Graham, “Young Plea to Citizens: Rid Detroit of Crime,” Detroit News, December 7, 1973, Folder 5, Box 182, Coleman A. Young Papers, Charles H. Wright Museum of African American History, Detroit, MI.

the New York Times noted, “in the past had bitterly accused the police department of using police-state tactics. This time, the coalition rallied to the side of the police.” “The time had come,” the New York Times reported Hankerson as saying, “to start an all-out war on crime.”

These comments suggest in stark terms how the cultural dictates of uplift ideology would, in the coming years, estrange elements of the African American community from one another. Any notion of people committing crimes in “open rebellion against their social environment,” as W.E.B. Du Bois defined it in *The Philadelphia Negro*, rooted in racism, poverty, and oppressively quotidian segregation, or simply engaged in “survival pending revolution,” in another context, had disappeared from the conversation.<sup>104</sup> Nevels’ statement, in the context of Young’s recent election, signaled at this early moment a rift between those African Americans formerly charged with political leadership during the insurgent period of civil rights and those that came of age in post-industrial cities, a rift that would become clearer in the years that followed.

Young repeated his “law and order, with justice” message during his inauguration speech, honing its rhetorical edge for maximum effectiveness. At the outset, he struck a conciliatory note. “This city has too long been polarized. We can no

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<sup>104</sup> W.E.B. Du Bois, *The Philadelphia Negro: A Social Study* (Philadelphia: University of Pennsylvania Press, 1996), 235.

longer afford the luxury of hatred and racial division. What is good for the black people of this city is good for the white people of this city."<sup>105</sup> He then articulated his vision for a people's police department that would reconcile the police with the community. "The Police Department alone cannot rid this city of crime. The police must have the respect and cooperation of our citizens. But they must earn that respect by extending to our citizens cooperation and respect. We must build a new people-oriented Police Department, and then you and they can help us to drive the criminals from our streets." Expelled from this harmonious community, and in direct opposition to it, were criminals.

Young then delivered the speech's most memorable words, drawn from the city's past and present that would long resonate into its future. "I issue forward warning now to all those pushers, to all rip-off artists, to all muggers: It's time to leave Detroit for Eight Mile Road. And I don't give a damn if they are black or white; or if they wear Superfly suits or blue uniforms with silver badges: Hit the road." At this the audience broke into a fervent applause before Young concluded with a conciliatory denouement: "The time for rhetoric is past, the time for working is here, the time for moving ahead is upon us. Let's move forward together." While Young sought with these words to again reiterate his reform-minded approach to law and order, and although they struck

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<sup>105</sup> Newspaper Clipping of Text of Coleman Young's Inaugural Address, Coleman A. Young Collection, Part II, Box 107, Folder 5. Archives of Labor and Urban Affairs, Wayne State University.

adherents of the New Deal coalition as a sign of a welcome change in the city, many whites understood them as Young inviting black criminals to cross the city's infamous dividing line and pillage the suburbs.<sup>106</sup> Moreover, the logic of liberal law and order dictated that as Young rehabilitated the silver badges, those wearing Superfly suits remained outside his newly founded order, subject to the reformed carceral state.

Damon Keith, an important local African American civil rights leader then serving as a U.S. District Court Judge in Michigan, touched on similar themes with his speech during the inaugural celebration. Dubbed a "challenge" to Mayor Coleman Young, Keith analyzed the meaning of Young's election on the issue of crime in the black community in provocative terms.<sup>107</sup> Young's challenge, Keith said, would be "to devise a means of ridding this city, root and branch, of the criminals who are committing murders, rapes, and assaults on the people of this city." While expressing sympathy for the "terrible affliction" of addiction, Keith was unsparing toward "the drug pusher" and other criminals.

I am aware of all of the sociological reasons as to why crimes are committed, and understand most of them, but I say to you that while we work to eliminate poverty,

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<sup>106</sup> Harvey Molotch suggests that, of all the different players within growth coalitions, newspapers were "the most important example of a business which has its interest anchored in the aggregate growth of the locality." This may to some extent further explain, beyond simple racism, the issues informing the increasingly reactionary tenor of the *Detroit News*. It may be that its editors and owners lucidly examined the growth potential of the suburbs in contrast to the city, and made a quite rational and perceptive decision to prioritize white suburban attitudes in its editorial position. See Harvey Molotch, "The City as a Growth Machine: Toward a Political Economy of Place," *American Journal of Sociology* 82, no. 2 (September 1, 1976): 315.

<sup>107</sup> Damon Keith, "Challenge to Mayor Coleman A. Young," January 2, 1974, Coleman A. Young Collection, Part II, Box 107, Folder 4. Archives of Labor and Urban Affairs, Wayne State University.

substandard housing, inadequate education, and all of the evils that are the by-products of a racist society, we must also, without delay or equivocation, strive to make this city of ours a safe place in which to live, in which to raise our children, in which to enjoy the fruits of our labors and our god-given rights.<sup>108</sup>

Here, Keith invoked the well-known criticisms of prevailing and racially charged discourse about criminality, only to sweep them to the side. In a way that sounded almost like a response to white critics who charged that black leaders were not doing enough to combat crime in the black community, Keith articulated a tough-on-crime message that would brook little special sociological pleading from his critics. And yet, Keith invoked those very same sociological factors when discussing the fraught position the police occupy in society. “Asked by the larger society to maintain order in an unjust society — a society which has systematically and illegally frustrated blacks in their efforts to survive,” Keith said, “the police, alone cannot keep order unless and until the major institutions in the larger society demand justice.” Echoing Young’s campaign refrain, Keith reiterated his challenge: “Mr. Mayor Elect, you must lead a revolt of the people of this community for justice and against crime.” Young told Keith in a private letter that the latter’s words “set the tone for the inauguration,” and assured him that he intended his administration “to provide leadership for those striving to make our city a safe place in which to live.”<sup>109</sup> In this speech, the object of the civil rights movement’s energy was transformed from unjust police departments to the criminals that, while

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<sup>108</sup> Ibid.

<sup>109</sup> Coleman Young to Damon Keith, ca. January 1973, Folder 11, Box 89, Coleman A. Young Papers, Charles H. Wright Museum of African American History, Detroit, MI.

suffering from many “sociological” problems, nevertheless wreaked intolerable havoc in the community.<sup>110</sup>

Keith’s speech reflected an emerging sense among African American political elites that drug users were criminals whose addiction placed them outside the polity.<sup>111</sup> But Keith spoke not of drug users but “pushers.” In that, Keith introduced at the outset of Young’s first term as mayor the notion that criminals in the black community could expect little sympathy from its political leadership. They were considered non-citizens and would in the future be treated as such.<sup>112</sup>

The *Detroit Free Press* was effusive in its praise for the tone set by Young and Keith. Remer Tyson praised them for their tough stance on crime.

Young and Keith had taken hold of the crime issue in a way that liberal white Democrats have failed to do since the mid-1960s. The best-intentioned, strongest civil libertarian, most liberal white mayor of Detroit, on January 1, 1974 would have felt uncomfortable saying what Young and Keith said about crime. Because things are as they are in this time and place, a black mayor and a black judge in Detroit could say what needed to be

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<sup>110</sup> The Moynihan Report’s conclusions sparked controversy among African American scholars and activists from the very start. For an early example challenging explanations for the behavior of African American rioters that attributed that behavior to a breakdown in black families, see Lee Rainwater and William Yancey, *The Moynihan Report and the Politics of Controversy* (Cambridge: MIT Press, 1967), pp. 451, 475, and passim, cited in Fine, 332n16.

<sup>111</sup> For an in-depth analysis of this development, see Julilly Kohler-Hausmann, “‘The Attila the Hun Law’: New York’s Rockefeller Drug Laws and the Making of a Punitive State,” *Journal of Social History* 44, no. 1 (2010): 71–95.

<sup>112</sup> For a discussion of how the African American political elite in Harlem created the discursive context out of which the punitive Rockefeller Drug Laws emerged, see Michael Javen Fortner, “The Carceral State and the Crucible of Black Politics: An Urban History of the Rockefeller Drug Laws,” *Studies in American Political Development* 27, no. 1 (April 2013): 14–35.

said about the crucial issue of crime in their hometown. It is significant that they said what they did.”<sup>113</sup>

*Free Press* columnist Judd Arnett called Young’s inaugural address “a heartening start.”

Our new mayor told us what we have been waiting to hear. He is going to lean on the criminal with all of the resources at his command. He expects support in this crusade from the community, all of it, the common citizen as well as the cop on the beat. It is an electrifying prospect, for the simple reason that not all of our people have cooperated heretofore in the attempt to stamp out crime. This may be the 'new era' during which the good guys finally cream the bad guys. If so, glory be.<sup>114</sup>

And an unsigned editorial in the *Free Press* again praised both Young and Keith’s position on crime.

The most significant aspect of the day of glittering festivities surrounding Coleman Young’s inauguration as mayor was that his most enthusiastic response came when he talked tough about crime. He talked tougher, in fact, than almost any politician who has been heard in Detroit in a long time.<sup>115</sup>

The editorial also praised Keith’s “challenge” to Young. “Earlier in the day, at a prayer breakfast, federal Judge Damon Keith, whose reputation in defense of civil liberties is well established, had urged Mayor Young to ‘lead a revolt of the people of this community for justice and against crime.’” Citing Keith’s history as a civil rights activist in this context served to justify his tough stance on crime. The editorial continued by discussing the political reality both of these men chose to squarely face. “What both Coleman Young and Damon Keith have understood and tapped is the realization that

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<sup>113</sup> Remer Tyson, “Young — ‘Got to Get to Work’: Wide Support Promised,” *Detroit Free Press*, n.d. (ca. January 2, 1974), Coleman A. Young Collection, Part II, Box 107, Folder 9. Archives of Labor and Urban Affairs, Wayne State University.

<sup>114</sup> Judd Arnett, “A Heartening Start for Young Regime,” *Detroit Free Press*, January 4, 1974.

<sup>115</sup> “Editorial, “Mayor Young Sounds Call for Unity, Against Crime,” *Detroit Free Press*, n/d, Coleman A. Young Collection, Part II, Box 107, Folder 1. Archives of Labor and Urban Affairs, Wayne State University.

this city's political leadership can now both take and articulate a realistically hard stance against crime. As Judge Keith said: 'The crime problem, which has won for our city an unprecedented degree of adverse publicity, is essentially a wave sparked by black criminals preying upon black victims.' " Young's promise to the Detroit community, then, was quite clear. "Coleman Young showed he knows he can now deal with crime, as mayor, from a far different perspective than that forced on his predecessors."

Keith and Young's position on crime was central to the success of efforts to revitalize the city's downtown. Keith concluded his address by mentioning a luncheon sponsored by prominent business and labor leaders. "The business and labor community has indicated," Keith said, "that it will be supportive of your administration in endeavoring to make this city of ours what we want it to be." What members of this coalition wanted the city to be was evident from Henry Ford II's comments at that luncheon. "Detroit was born on the riverfront and it is now being reborn on the safe spot ... We have often hurt ourselves in Detroit by talking too much about the city's problems when in fact Detroit has more going for it than perhaps any other major city in the nation ... Let us stop knocking and start selling Detroit."<sup>116</sup> What should we make of Ford's reference to the "safe spot" in this speech? Was this a monumental Freudian slip on his part? Was it a simple printer's error at the newspaper? Whatever the case, transposing "safe" for "same" during Ford's benediction of Coleman Young's newly

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<sup>116</sup> Remer Tyson, "Business, Labor Heads Vow to Support Young," *Detroit Free Press*, January 4, 1974.

appointed office indicated how closely intertwined the issue of crime was to this coalition's desire to revitalize the city's downtown district. With it, Young's inheritance of the "three-way coalition" of business, labor, and African Americans that had early on supported Ravitz was complete.

### ***Making Mini-Stations: Coleman Young's War on Crime***

Young wasted no time in rebuilding Detroit "on the safe spot." In between Young's electoral victory and inauguration festivities, Thomas Metevier, a co-director of Young's Interim Mayor's Office, submitted to Young a "statement of concept" outlining the mini-station program.<sup>117</sup> Drawn from numerous sources both in the community and in law enforcement, the statement served as a template for federal grant writing that was ultimately very successful. The City of Detroit began receiving \$441,000 in federal funding for its mini-station program January 1, 1975.<sup>118</sup> These federal grants suggested the impact of Nixon's urban policy in shifting federal dispensation away from infrastructure or public works programs in northern cities and toward crime prevention programs.

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<sup>117</sup> Thomas Metevier, Co-Director, Interim Office of the Mayor-Elect to Coleman Young, December 14, 1973, Coleman A. Young Collection, Part II, Box 107, Folder 10. Archives of Labor and Urban Affairs, Wayne State University.

<sup>118</sup> Amount from Margaret Borys, "The 'People's Police Force': Is It Happening?" *Ann Arbor Sun*, November 19, 1975; implementation date from Charles Archibald, Sergeant, Western Operations, to Walter Douglas, Executive Assistant, August 12, 1975, Coleman A. Young Collection, Part II, Box 107, Folder 10. Archives of Labor and Urban Affairs, Wayne State University.

This “statement of concept” revealed some significant differences from Young’s campaign promises. It stated that the proposed mini-stations were “primarily an anti-crime device,” adding that public and community relations and minority recruitment were ancillary but “welcome added benefits.” In addition, the document noted that although the department may receive pressure to turn the program into a largely public relations program, crime reduction itself was the best way to improve the image of the police. “Good law enforcement,” it stated, “is good community relations.” This suggested the program’s potential to divide the city’s African American community against itself. Coupled with Young’s comments throughout the campaign, the program aimed squarely at the victims of crime, many of whom were African American. Though documents discussing the mini-station concept refer to the improved delivery of “police service,” this euphemism simply covered the renewed emphasis not on community relations but on law enforcement.<sup>119</sup> Rejecting the sociological issues involved in crime’s causes at a time of economic recession, declining tax revenue as manufacturers and tax payers continued to flee the city, and high unemployment, the mini-station program virtually guaranteed that the target of that enforcement would be black youth.

This document also suggested a superficial approach to community involvement in the police, more rhetorical than substantive. That involvement consisted mainly of

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<sup>119</sup> For references to “police service,” see Archibald’s memo as well as James Bannon, Commander, Second Precinct, to Chief Philip Tannian, Inter-Office Memorandum, September 2, 1975, Coleman A. Young Collection, Part II, Box 107, Folder 10. Archives of Labor and Urban Affairs, Wayne State University.

two things: “consultation” on things like the location of mini-stations, and “non-police services,” those that were “essentially clerical” in nature. The latter evinced an attempt to solve two problems facing the Young administration at the same time — a perpetual budget deficit and a desire to have more uniformed officers patrolling the streets in an effort to deter crime. Commander James Bannon referred to this as a “mini-max” concept, getting “minimum staffing and capital outlay but maximum service.”<sup>120</sup>

A month after his election, Young issued an Executive Order to Police Commissioner Philip Tannian calling for a comprehensive reorganization of the Detroit Police Department.<sup>121</sup> The purpose of reorganization, Young said, was to win back public confidence in the “professionals” in the department and to put more officers in more regular contact with the community. Several of Young’s recommendations emphasized the “justice” side of his campaign platform. Chief among these was Young’s order to Tannian to finally eliminate the city’s controversial STRESS program and make its officers available to other sections of the department, including the mini-stations Young sought to create. In his Executive Order, Young called for the creation of fifty mini-stations around the city, the vast majority within sixty days. Vital to the functioning of these mini-stations, Young said, was “strong and direct citizen involvement.” Young was able to report the opening of three mini-stations within a few

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<sup>120</sup> Bannon to Tannian, September 2, 1975.

<sup>121</sup> Coleman Young, “Executive Order No. 2,” February 13, 1974, UAW Vice President’s Office: Douglas A. Fraser Collection, Box 3, Folder 23. Archives of Labor and Urban Affairs, Wayne State University.

months, and eventually the department succeeded in establishing fifty.<sup>122</sup> Young also called for immediate efforts to implement a recruitment policy that would dramatically increase minority representation on the force, a campaign against departmental corruption, and the immediate cessation of disrespectful interactions with citizens, such as the use of “derogatory or personally offensive language.” These reforms to police behavior and the department’s structure aimed at rehabilitating criminal justice administration in the city, thereby creating a less objectionable carceral state. But Young also reassured officers that in implementing these reforms, he was by no means abdicating law and order. Young ordered Tannian to assure police officers that they had Young’s support for the “strict and impartial enforcement of the laws.” With “impartial” justice restored to the criminal justice system, Young finally ordered Tannian in the strongest possible language to mount “an all-out war on crime.”

Young emphasized the success of his efforts to reform the police department when he gave a 100-Day Report on the status of those reforms to the citizens of Detroit.<sup>123</sup> He stressed the changes that had been implemented since he had taken office. Most notably, Tannian had followed through on Young’s Executive Order of several months earlier, and abolished the STRESS program, thus bringing to a close one of the most contentious periods of police-community relations in Detroit’s history. The

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<sup>122</sup> Lieutenant Lawrence Holland to Alex Luvall, Administrative Assistant, October 25, 1977, Coleman A. Young Collection, Part II, Box 107, Folder 10. Archives of Labor and Urban Affairs, Wayne State University.

<sup>123</sup> Coleman Young, 100-Day Report to the Citizens of Detroit, April 10, 1974, Coleman A. Young Collection, Part II, Box 107, Folder 6. Archives of Labor and Urban Affairs, Wayne State University.

department had also stepped up minority recruitment, and had opened several mini-stations around the city. Although the three the city managed to open in Young's first one hundred days were a far cry from his ambitious demands for fifty in sixty days, those that opened did so without federal funding, a fact that suggested Young's own budgetary priorities in an era of increasing austerity. Perhaps due to the limited scope of community involvement ultimately envisioned in the mini-station program, Young found himself in his 100-Day Report again calling for greater community participation. "We must find ways," he said, "to harness the power and indignation of the community."

With one hundred days in office behind him, and a concrete record of police reform he could point to, Young sounded some important new notes that suggested the future of police reform. These included support for a one-person grand jury and the use of wiretaps, both aimed at combatting the city's narcotics trade. That trade had become front-page news in early 1973 when *Detroit Free Press* journalist Howard Kohn began publishing an expose on police involvement in drug trafficking based on several years of reporting. These proposals constituted a significant change from Young's previous positions. Just before his 100-Day Report, Young and Judge George Crockett came out in favor of reviving the one-person grand jury as one aspect of the effort to undermine the drug trade. The proposal received a great deal of criticism, from community activists as well as both of Detroit's daily newspapers. An editorial in the *Detroit Free Press* harshly

criticized the proposal, suggesting that Young and Judge George Crockett, “long-time critics of the one-man grand jury system,” were “merely yielding to the compulsion to ‘do something’ ” about the city’s drug trade.<sup>124</sup> The *Free Press* cautioned against this course, citing both the “questionable” recent history of one-person grand juries when it came to respecting constitutional protections as well as, quite simply, their efficacy, returning convictions on indictments less than ten percent of the time.

Several of Crockett’s colleagues on the city’s Recorder’s Court also voiced their opposition to this plan.<sup>125</sup> Acknowledging Young and Crockett’s frustrations with police efforts to combat the narcotics trade, they wrote that, “there can be no question about Judge George Crockett’s sincerity and motivation in leading the push for one-man grand jury.” Still, these judges repeated the objections of the *Detroit Free Press* in terms of both efficacy and constitutionality. And yet, Coleman Young persisted, again supporting the measure in his 100-Day Report. Similar skepticism greeted Young’s support for the use of wiretaps in ongoing efforts to contain drug trafficking in the city. Local commentators linked the issue to Young’s support for a one-person grand jury, noting that the turnaround was “a second major reversal of [Young’s] long held civil libertarian views.”<sup>126</sup>

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<sup>124</sup> Editorial, “Drug Probe Best Handled By a Citizens Grand Jury,” *Detroit Free Press*, March 31, 1974.

<sup>125</sup> Newspaper clipping, “Best Tool for Drug Inquiry,” Coleman A. Young Collection, Part II, Box 105, Folder 13. Archives of Labor and Urban Affairs, Wayne State University.

<sup>126</sup> “Young Shifts Stand, Backs Wiretaps to Fight Drug Traffic,” *Detroit News*, April 24, 1974.

Judge George Crockett's support for a one-person grand jury was particularly notable. Crockett was best known for his controversial intervention in the arrest of dozens of black activists arrested during the New Bethel shooting incident several years earlier. The incident took place as a first anniversary celebration of the Republic of New Africa (RNA) was coming to an end on the city's west side. As people started for home, several of them were accosted by police, and a shootout ensued in which one officer was killed and another injured; four civilians attending the event were also injured. Police responded by arresting almost 150 people, holding them without access to lawyers, and conducting tests to determine if any had recently fired weapons.

Judge Crockett, contacted by a leading member of the RNA, went to the police station and immediately set up court, demanding that police press charges against the people arrested or release them. The move antagonized police and some members of the community, but proved that Crockett was unafraid to take controversial positions in defense of the due process protections of African Americans. In a changed political context, however, Crockett now found himself supporting the one-person grand jury against critics who objected to it on numerous grounds, one of which was its violation of citizens' constitutional protections. Significantly, Crockett said little about the unequal racial impact such legislation may have. The controversy spoke to the dramatic shift occurring in the aftermath of Coleman Young's election, as the leadership in the African

American community embraced its newfound role as both the creators of legislation impacting the whole city, and the legislators of popular opinion in the black community.

Just as Young was beginning to evince reversals of long-held positions with important consequences for the black community, the reforms he instituted in the police department started to have an influence on how he viewed that institution. "I have not hesitated to criticize the Police Department when I thought it was wrong," he declared in his 100-Day Report. "I will be equally vigorous in defending and supporting the department when I believe it is right." Now that he had reformed the police department, Young signaled that he would brook no further criticism of it. With Young's eventual victories over white antipathy both to his use of affirmative action to change the racial make-up of the department and his strict enforcement of the residency requirement for municipal employees, Young could in later years present a united administration, no longer wracked by the controversy of a mostly white police force running roughshod over the African American community.<sup>127</sup>

In spite of Young's praise for his administration's initial progress, the record gives a conflicting early picture of the mini-station program. In June, 1975, a year after it began, Mayor Young received a letter from Patricia Norton, Acting Director of the Butzel Family Center, complaining about comments a white officer working at a mini-

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<sup>127</sup> For a discussion of affirmative action and residency requirements, see Dennis A. Deslippe, "'Do Whites Have Rights?': White Detroit Policemen and 'Reverse Discrimination' Protests in the 1970s," *The Journal of American History* 91, no. 3 (2004): 932–60.

station in her neighborhood made in a community newspaper.<sup>128</sup> The article profiled Michael Krause, noting his willingness to “go on at length about how much he dislikes Coleman Young, a good deal of the black community, and a number of fellow cops.” Krause attributed his anger to the department’s willingness to hire “non-qualified black officers just to fill a quota.” Thus, Krause took an assignment at a mini-station, where he watched television, telling the reporter he “plans to be neither ambitious nor hard working for the police department because, he says, he is kept from advancing because of the color of his skin.” Krause’s mention of “non-qualified black officers” suggested how the racially fraught discourse of police integration intersected with a longstanding defense of police professionalism in an almost exclusively white police department in the Detroit of the 1970s.

A memo from Sergeant of Western Operations, Charles Archibald, just two months later came to similar conclusions as Norton, this time from someone situated within the department.<sup>129</sup> Archibald reported that, “some precincts receiving mini-stations gave the impression that the mini-stations are tolerated rather than accepted.” Archibald also noted a distinct lack of community involvement. “A brief look at programs throughout the city reveals a very limited use of civilians in the mini-stations.

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<sup>128</sup> Patricia Norton, Acting Director, Butzel Family Center to Philip Tannian, June 4, 1975, Coleman A. Young Collection, Part II, Box 107, Folder 10. Archives of Labor and Urban Affairs, Wayne State University.

<sup>129</sup> Charles Archibald, Sergeant, Western Operations, to Walter Douglas, Executive Assistant, August 12, 1975, Coleman A. Young Collection, Part II, Box 107, Folder 10. Archives of Labor and Urban Affairs, Wayne State University.

With the exception of those precincts" with some degree of pre-existing relationship with the police, such as the Police Athletic League, "there is little for a citizen to do in the respective mini-stations." Moreover, Archibald suggested that the safety of officers at mini-stations might have been a growing concern. "The installations," he said, referring to the mini-stations, "should be secure not only when closed on platoon ... but also when occupied by officers to prevent unnecessary injuries." This mention of injuries raises some important questions. It could refer to something as innocuous as a couple of teenagers poking around the mini-station at night somehow getting hurt. But it could also refer to tactical considerations arising from small numbers of police officers — three per shift — working in relative isolation, among a community whose opinion of the police remained guarded, at best.

An incident from November 1975, three months after Archibald wrote his report, suggested something along these lines. It began when officers from the Herman Gardens housing project mini-station arrested a fourteen-year-old boy in a stolen car earlier in the day. Police claimed that the boy fought with them during that arrest. When the mini-station's lone officer drove the boy to the 14<sup>th</sup> Precinct later that day, a firebomb was thrown at the station.<sup>130</sup> The *Ann Arbor Sun* also reported that two of the station's white officers were "beaten up" in connection with the incident.<sup>131</sup> Contemporaneous with

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<sup>130</sup> "Detroit Police Mini-Station Hit in Fire Bombing," *Detroit News*, November 7, 1975.

<sup>131</sup> Margaret Borys, "The 'People's Police Force': Is It Happening?" *Ann Arbor Sun*, November 19, 1975.

Archibald's report, the incident also came in the midst of a crackdown on gangs ordered by Mayor Young in response to reports of increased gang activity in the city.

Two years later, in an interview with the *Ann Arbor Sun*, a liberal newspaper associated with the white counterculture in southeast Michigan, Mayor Young redefined the meaning of a "people's police department" in a way that both reflected the complexities involved in its implementation and allowed him to claim significant progress in that regard. He began with a description of the people's police department's main features that was decidedly circumspect. Its first feature, Young said, was that it was comprised of officers that were "based in the neighborhoods where the people live." Young achieved this through strict enforcement of the City of Detroit's residency requirement for municipal employees. Its second feature was that it should be "reflective of the people among whom it must work, and for whom it does work ... although many of them don't realize it."<sup>132</sup> Young enacted the latter through a vigorous affirmative action policy that sought in particular to place African Americans and women in supervisory positions in the department.

These comments were telling in several ways. Young's comment about how people "don't realize" that the police work for them, after almost two years of efforts to implement his idea, suggested the tepid response it had elicited among community

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<sup>132</sup> David Fenton and Derek Van Pelt, "The SUN Interview with Coleman Young, part II: Changing the Police..." *Ann Arbor Sun*, December 3, 1975.

members. Sergeant Archibald had noted this himself in his own assessment of its progress. It may have been that Young and the police actually aimed too low in their efforts to integrate the community into the force. Sergeant Archibald had once reported about how little there was to do at the mini-stations, after all. It may also have been that the community had some interest in these programs, but quickly recognized that their involvement was limited to a “consultation” role at best, and at worst to clerical help meant to free up more officers to patrol their communities.

Young’s description of the “people’s police department” was telling in another way. Perhaps because of the difficulty of involving more citizens in the program, Young retreated from his more daring proposals for a reformed police department that sought to inaugurate a new era of police-community relations. He focused instead on reforms that were legally actionable within a juridical framework. These included defeating lawsuits brought by the Detroit Police Officers Association against his affirmative action policies and his strict enforcement of the City of Detroit’s residency requirement, a policy that had long been honored mostly in the breach. These policies had the effect of ensuring that police officers lived in the city, though many favored “copper corridors” among other police and the city’s remaining white families, ensuring that they were by no means “based in the neighborhoods where the people live.” They also increased African American representation in the police department. By defining a “people’s police department” less according to citizen involvement and more based on how

“representative” it was of the community it served, Young was able to claim a great deal of progress in creating one.

This was how far Young’s “people’s police department” had come. His proposed “law and order, with justice,” made important inroads in reducing the instances of police brutality in the African American community, itself a very important contribution. But his liberal law-and-order framework had created significant rifts in the African American community, particularly as economic conditions failed to improve throughout the 1970s. Moreover, much of the ambiguity of his “law and order, with justice,” had been drained away. As events developed, Young’s commitment to justice for African Americans left out of the political and economic picture receded more and more into the past. As those same African Americans, particularly young people, organized themselves (in the absence of the adult leadership of a previous generation which was increasingly hostile to them) in the form of youth gangs and some of the city’s most infamous drug organizations. Young responded to this development with a rehabilitated police department and restraints on young people such as curfews. And in the case of the “scandalous” drug gangs that emerged in the city in the years to come, Young ably called on federal assistance to infiltrate them. Ultimately, the key to this endeavor’s success was the use of wiretaps that Young had presciently advocated, albeit in contradiction to his principles as a civil libertarian in his youthful years. In this way, Young’s program of “law and order, with justice,” reconciled one segment of the African

American community to police practices while subjecting another segment to the punitive end of those same practices.

### ***The Lineaments of Riot Renaissance***

Architectural lineaments that emerged in the city in the 1970s drew together policing and security with the city's built environment to suggest that in his plans for downtown development, too, Young sought to rebuild the city "on the safe spot." In the immediate aftermath of the 1967 rebellion, improvisational responses to its destruction took a permanent cast. What began as boarded up windows replacing plate glass took on permanence as businesses remained closed. Iron bars in residences and bricks in restaurants eventually replaced plywood. Many taverns began to install doors equipped with buzzers and surveillance cameras as security measures. This "new architectural style" was sarcastically dubbed, "riot renaissance," and historian Alison Isenberg argues that it "proclaimed the mood of the 1960s."<sup>133</sup>

In Detroit, the emphasis in "riot renaissance" architecture on security intersected with Young's mini-station initiative. Louis Cook, an editorial writer for the *Detroit Free Press*, described the formal opening of a police mini-station in downtown Detroit as "unbelievable" and "a distressing case of overkill" in the superabundance of police

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<sup>133</sup> Alison Isenberg, *Downtown America: A History of the Place and the People Who Made It* (Chicago: University of Chicago Press, 2004), 244-45.

presence it created.<sup>134</sup> “In the event that passersby do not notice the police phalanxes,” Cook continued, “three foot signs attest to their presence.” Dubbing the style, “Mussolini Modern,” Cook concluded by comparing the new mini-station to the corridors of the Detroit Police Department headquarters at 1300 Beaubien Street, noting that “all the place lacks is an accordion of barbed wire around it.”

The fact that this mini-station was located close to the downtown business district reflects the concerns that development interests had with the stability of downtown Detroit. The most high-profile downtown development project of the postwar period, Henry Ford II’s Renaissance Center, incorporated into its original design the concern with security that “riot renaissance” practitioners had retrofitted at the grassroots. John Portman, the architect who devised Atlanta’s Peachtree Center and would later design the Bonaventure Hotel in Los Angeles, designed Ford’s Renaissance Center. Portman’s Detroit project featured many of the same features for which those two projects, in particular the latter, would become well known. Cultural theorist Frederic Jameson characterizes Portman’s projects in the 1970s as emblematic of postmodernism’s architectural aspirations.<sup>135</sup> Against “authoritarian high modernism,”

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<sup>134</sup> Louis Cook, “A Heavy Hand Is Laid on Kennedy Square,” *Detroit Free Press*, n.d., Folder 9, Box 105, Coleman A. Young Collection, Part II, Archives of Labor and Urban Affairs, Wayne State University, Detroit, MI.

<sup>135</sup> Frederic Jameson, *Postmodernism, or, The Cultural Logic of Late Capitalism* (Durham: Duke University Press, 2003), 38-45.

postmodern architects instead sought to create populist works and “respect the vernacular of the American city fabric.”

At the same time, however, the relationship between the building and its city was a fraught one. The Bonaventure, Jameson notes, downplayed its entrances, reflecting its aspiration not “to be a part of the city but rather its equivalent and replacement or substitute.” Ford’s Renaissance Center aspired to a similar totality. Not only did the structure minimize its own entrances, it erected a barricade between itself and the surrounding city. “Large two-story concrete berms that housed the heating and cooling units separated the complex from the city.”<sup>136</sup> The problem hardly changed when one had successfully negotiated the berm, as pedestrians then encountered “a windowless, signless concrete wall in which there were only two small unadorned and uninviting entrances.”<sup>137</sup> Once inside, visitors confronted a confusing maze of escalators and curving walls around which one could not easily gain perspective.

These design principles, inside and out, owed much to the development of malls in the postwar United States. Suburban shopping malls, which the Renaissance Center’s developers hoped to emulate in an urban context, had long practiced similar tricks, including limited entrances, escalators at the end of rows of stores, and benches and

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<sup>136</sup> Francis Desiderio, “‘A Catalyst for Downtown’: Detroit’s Renaissance Center,” *Michigan Historical Review* 35, no. 1 (2009): 97-98.

<sup>137</sup> *Ibid.*, 98.

other design features intended to direct the flow of consumers.<sup>138</sup> In suburban malls, these design elements sought to foster consumerism and militate against purposeful shopping. But a concern with security was central to the designs of the Renaissance Center's developers, who sought to create "a private space that could easily be controlled and monitored to fashion a safe, crime-free place for shopping, work, and nightlife," as one urban historian put it.<sup>139</sup> The clash between Portman's ideal creation of a city within a city and the execution of his design made the center appear hostile to the social realities of the city.

A similar contradiction is evident in the contrast between two solutions to transit in the downtown business district. In the mid-1970s, Coleman Young dedicated an "old-time downtown trolley" that traversed a business district along Washington Boulevard, passed in front of Cobo Hall, the city's convention center, and terminated at the Renaissance Center. The city's last trolley car had vanished over twenty years earlier, but Detroit had acquired a set of superannuated trolleys from the city of Lisbon, which was in the process of modernizing its public transit system. "In keeping with the turn of the century era," a brochure announcing the repurposed trolleys noted that trolley operators would be "outfitted in charcoal gray uniforms with collars, brass buttons and

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<sup>138</sup> For a discussion of the Gruen Transfer and the design of shopping malls, see Margaret Crawford, "The World in a Shopping Mall," Michael Sorkin, ed., *Variations on a Theme Park* (New York: Hill and Wang, 1992), 13-15.

<sup>139</sup> Desiderio, 83.

pillbox hats.”<sup>140</sup> The nostalgia that infused descriptions of the trolley, along with its route along the downtown business and entertainment nexus, suggested that its purpose was by no means efficient or affordable public transit for the city. Rather, it appealed to a tourist niche Young hoped to entice to the city, just as Atlantic City attempted in the same period.<sup>141</sup> A second attempt at a downtown transit solution emerged in the mid-1980s. Dubbed the People Mover, it consisted of a nearly three-mile, driverless loop connecting the Renaissance Center and Cobo Hall and the downtown business district with the Detroit Red Wings hockey arena, and the Greektown restaurant enclave. It differed from the trolley system in one significant respect, however: It was elevated. Conceived in the midst of the urban revolts of the 1960s, and finally brought to completion in 1987, Detroit’s People Mover echoed similar initiatives to create “analogous cities,” “above the scuffling passions of street bound cities,” across North America, including the Skyways in Minneapolis, Calgary’s Plus Fifteen network of elevated pedestrian walkways, and Montreal’s Underground.<sup>142</sup>

The lineaments of high-profile architectural projects like the Renaissance Center in the 1970s, and the People Mover in the 1980s, suggest the impact of the element that

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<sup>140</sup> “Ride the Old-Time Downtown Trolley,” Detroit Brochure, Folder 1, Box 181, Coleman A. Young Papers, Charles H. Wright Museum of African American History, Detroit, MI.

<sup>141</sup> For a discussion of Atlantic City’s nostalgic tourist industry, see Bryant Simon, *Boardwalk of Dreams: Atlantic City and the Fate of Urban America* (New York: Oxford University Press, 2004).

<sup>142</sup> For an examination of the emergence of “analogous cities” see Trevor Boddy, “Underground and Overhead: Building the Analogous City,” in Michael Sorkin, ed., *Variations on a Theme Park* (New York: Hill and Wang), 123-53.

remained unaccounted for in Young's approach to policing: youth. The challenge to Ford's vision of urban renaissance emerged in large part from the city's youthful unemployed population, at a time when deindustrialization had decimated the city's former manufacturing jobs, and Ford Motor Company employed not a single auto worker within the city limits.<sup>143</sup> It is to these youthful challenges the story now turns.

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<sup>143</sup> "In the late 1960s Ford had no workers within Detroit's city limits," Desiderio, 86.

## Chapter Two. “In Total Disregard for Any Authority”: The Trial of the Livernois Five

He had been in and out of courtrooms all his life, but he never got over his fear of them. The black-robed men who sat up high on the benches dispensing their so-called “justice” filled him with awe. It was not a feeling of reverence or of wonder caused by something sublime. It was a feeling of terror, inspired by the raw power that these hypocrites held over the helpless black men who came before them. He didn’t fear the men themselves. He knew well that they were insignificant, even while recognizing how insidious they could sometimes be. He feared the power, the power of life and death these men held in their hands. Half of them were too old to keep up with the times; they tried to beat down the complexities of the seventies with their gavels, with their twenties- and thirties-spawned attitudes, with raw power.

- Donald Goines, *White Man’s Justice, Black Man’s Grief*

Less than two years after Coleman Young’s inauguration, his approach to urban policing was put to a dramatic test. Outside a bar on the city’s near northwest side, less than three miles from the origin and epicenter of the 1967 rebellion, a white bar owner named Andrew Chinarian shot and killed an unemployed African American teenager named Obie Wynn under controversial circumstances. When Chinarian was released first without charge and then on a meager \$500 bond, young people from the neighborhood responded angrily. In the midst of the two nights of disturbances that followed, a Polish immigrant was killed by a group of black youth. The investigation that followed yielded charges in that death for five young black men, all unemployed — the so-called Livernois Five. The Livernois disturbance, and the resulting trial, revealed a conflict within the African American community that pitted young against old, class

against class, and raised important questions about the future of black protest under African American political control.

At stake was the version of liberal law and order Young espoused in his “law and order, with justice,” approach. When President Truman established the “first civil right” not long after World War II, his object was twofold. He sought first to purge from the criminal justice system the racial bias that inhered in its practitioners and was becoming an international embarrassment in the context of an emerging Cold War with the Soviet Union. He did so by making the administration of criminal justice more procedural and rights-based. Second, Truman took a firm stand against the white racial violence practiced in the streets by mobs of bigoted white people. Taken together, these reforms sought to establish the U.S. criminal justice system as the sole rational practitioner of violence.

In the Livernois disturbance, Coleman Young’s version of liberal law and order faced its first significant test. Alongside the violence against black bodies that Andrew Chinarian carried out, Young confronted an instance of black youth committing violence against a white person as well as violence directed at property throughout the site of the Livernois disturbance. When the disturbance passed after less than three days without spreading beyond its immediate neighborhood, Young declared his brand of urban policing a success, a “people’s police department” that resembled the city’s demographics, lived within it, and drew on a heightened sense of democratic social

practice awakened by the social movements of the 1960s to involve ordinary citizens in policing efforts. He used the incident in the future to claim that his reforms had accomplished what neither Jerome Cavanagh nor Roman Gribbs had been able to achieve: a stable city.

Characterizing young African American men and women as non-citizens was the price of this stability. Citizens cooperated with police to ensure peace on the city's streets, one journalist said. Participants in the Livernois disturbance, on the other hand, refused to let justice take its course in the courtroom. They attacked not only people, but property. Their violence disqualified them from participation in the political community as citizens.

This designation had important consequences for the Livernois Five. In the immediate aftermath of Obie Wynn's shooting, Chinarian was released again and again with insubstantial charges and little or no bond. The Livernois defendants, meanwhile, were held nearly a year without bond in the notoriously dilapidated Wayne County Jail as their trial progressed. The trial itself revealed a disturbing trend toward police coercion of witnesses as well, routinely denying the over one hundred people arrested during and after the disturbance the due process protections the Supreme Court, under Chief Justice Earl Warren, had extended to criminal defendants at a state level in the 1960s.

In the past, political elites in the African American community had contributed in significant ways to the establishment of those protections, a critical element of liberal law and order, by harrying the Supreme Court with the cases that would ultimately overturn Jim Crow rule in the South. In Detroit in the 1970s, this was no different. During and after the Livernois disturbance, civic, community and church leaders organized parishioners to work with police against the young men and women involved in the Livernois disturbance. So too did African American journalists and former grassroots political organizers and officials with New Detroit, Inc., an important non-profit group made up of business and labor leaders and the political elite in the African American community. For upwardly mobile members of the black community, Young's election signaled the culmination of the goals of the Civil Rights and Black Power movements and therefore the end of militant street action against ensconced power relations. They therefore invoked the notion that participants in the Livernois disturbance were no longer citizens. It was no surprise, then, that the Livernois defendants found few supporters among them.

For a younger generation with little personal experience of those movements, and particularly for poor and unemployed young people in the inner city, the gains their elders touted seemed hollow. Unemployment for them was as high as it had been in 1967 during Detroit's epochal urban uprising, if not higher. Access to stable, unionized and well-compensated industrial jobs in urban centers had all but vanished. This

generation faced the far bleaker prospects offered by the service economy. Moreover, they were as estranged from the organized expressions of the African American community as Coleman Young had been from the African American churches that were in political fealty to Henry Ford in the 1930s and 1940s, when Young served his political apprenticeship with Charles Hill.

In the trial of the Livernois Five, Young's "law and order, with justice," sought to circumscribe the violence of African American youth and re-establish the courtroom and the state as the sole purveyors of legitimate violence. The importance of Young's approach to criminal justice was indicated when the prosecution chose to try the defendants together, lending the proceedings an air of collective punishment that highlighted the mass character of the Livernois disturbance. The prosecution also displayed remarkable zeal in pursuit of a guilty verdict. Over the strenuous objections of the defense team, and in seeming contravention of the Constitution's prohibition against double jeopardy, the Livernois defendants were tried not once or even twice, but three times before they were finally acquitted. Still, Young emphasized the containment of the disturbance itself rather than the verdict when he argued that it indicated that the police department had been reformed. This was a crucial element of Young's liberal law-and-order approach. Assuming a reformed police department, Young would move vigorously against future disturbances of the peace in Detroit.

## **“It’s Like They’ve Been Saving Bottles for the Past Eight Years”**

On a hot and humid night in late July 1975, several days and nights of street disturbances began on Detroit’s near northwest side. Everything started on a Monday evening in an alley behind Bolton’s Bar on Livernois Avenue. Bolton’s was an oddity in the Detroit of the 1970s — a mostly white hangout in the midst of a mostly black neighborhood. Andrew Chinarian, ““had a history of making black patrons feel unwelcome in his establishment,” an editorial in the *Detroit Free Press* noted.<sup>1</sup> Howell Cobb, who operated a produce store in the area, told reporters that black residents “didn’t exactly get a warm reception at Bolton’s Bar. It was no secret they weren’t wanted in there.”<sup>2</sup> Added to that was the bar’s reputation as a favorite after-hours drinking establishment for off-duty police officers from the nearby Tenth Precinct. And Annie Anderson, whose husband was a church pastor, later testified that Chinarian had told her a month earlier that if he caught the suspected vandal of cars in his bar’s parking lot, “I’ll kill him.” Anderson told the court she thought it was a figure of speech.<sup>3</sup> The bar’s hostility to the community was also inscribed in its architecture. There was a buzzer on the front door customers had to ring to enter, one of a plethora of “riot renaissance” security measures that became increasingly ubiquitous across the urban

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<sup>1</sup> Editorial, “Efforts by Young, Police Offer Hope for Peace,” *Detroit Free Press*, July 31, 1975

<sup>2</sup> Armand Gebert and Karl Payne, “Livernois Mood: Calm but Tense,” *Detroit News*, July 31, 1975.

<sup>3</sup> Kathy Warbelow, “Court Hears Witnesses to Bar Slaying,” *Detroit Free Press*, September 9, 1975.

landscape following the upheavals of the 1960s.<sup>4</sup> At Bolton's, it fueled the resentment it hoped to contain. "Calm won't return to the area," one teenage girl who lived behind Bolton's told reporters, until "they let us burn that bar down. They wouldn't let just anyone into that bar."<sup>5</sup> Joe Strawder, "one of the few black persons allowed in Chinarian's bar," suggested that its racial geography was not unlike that which Coleman Young sought to inscribe in the wake of the Livernois disturbance.<sup>6</sup> Strawder owned the nearby Chez Beaux Lounge. In Chinarian's view, African American business owners claimed the right to citizenship, which afforded them access to the city's social spaces.

In contrast to the bar's fortified entrance, the alley behind it was more porous. That may also have made it more dangerous. There, an old basketball hoop nailed to a telephone pole provided occasion for frequent pick-up games between kids from the neighborhood and the bar's patrons, many of them off-duty police officers from the nearby Tenth Precinct. Obie Wynn was one of them. He'd grown up in the neighborhood, and played ball from time to time behind Bolton's. Just an hour before sunset, he had told Annette Coleman, his fiancée, that he was heading toward the alley to "shoot the hoop." But as dusk fell, a shot rang out. Behind Bolton's bar, with a single shot to the head, Andrew Chinarian had killed Obie Wynn. In the coming days, the

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<sup>4</sup> Alison Isenberg, *Downtown America: A History of the Place and the People Who Made It* (Chicago: University of Chicago Press, 2004), 244-45.

<sup>5</sup> "Livernois Mood: Calm But Tense."

<sup>6</sup> Fred Girard, "How It Began – Shooting at Bar Clouded by Dispute," *Detroit Free Press*, July 30, 1975.

neighborhood surrounding Livernois Avenue would become the site of the “worst racial confrontation to strike Detroit since the trauma of the 1967 riots.”<sup>7</sup>

Neither Chinarian nor Wynn were strangers to the law.<sup>8</sup> Not only was Chinarian rumored to know half the police officers in the city, in particular those in the Tenth Precinct that he so often served at his bar, he also had a long history of run-ins with them. Police records showed three previous incidents involving gunplay. One of them was a near “carbon copy” of the incident involving Wynn. That time, *The Detroit News* noted sardonically, “Chinarian fired but missed.” Wynn’s own record was longer still, a record obtained by local newspapers, it seems, through collusion with Wayne County Juvenile Court Judge James Lincoln or one of his employees, as Wynn was a juvenile for nearly all of the offenses. The first came when Wynn was just 11 years old, and he was picked up for malicious destruction of property. That time, he was given a warning and released. This was followed by arrests for car theft, breaking and entering, and possession of stolen property, all of which were dismissed given his juvenile status. Finally, when he was sixteen, Judge Lincoln convicted him of purse snatching and sentenced him to several months in Maxey Boy’s Training School. At the time of the shooting, though, friends and relatives thought Wynn was settling down.<sup>9</sup> He’d recently been laid off from his job at a local animal hospital, but had already scheduled an

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<sup>7</sup> “Friends, Relatives Thought Slain Teen Was Settling Down,” *Detroit News*, August 1, 1975; “How It Began — Shooting at Bar Clouded by Dispute,” *Detroit Free Press*, July 30, 1975.

<sup>8</sup> “Police Knew Slain Teen, Bar Owner,” *Detroit News* July 30, 1975.

<sup>9</sup> “Friends, Relatives...”

interview with a construction company for the following Monday. None of that was to be. Instead he became a rallying cry for a community devastated by unemployment, treated contemptuously by white business owners in their neighborhood, and harassed constantly by white police.

When police arrived, a crowd of people, mostly teenagers from the neighborhood, had already begun to gather on the street in front of the bar.<sup>10</sup> Inside, police questioned Chinarian, who claimed he shot Wynn in self-defense after Wynn approached him with a screwdriver.<sup>11</sup> As word of the incident spread, the crowd grew larger. It was also growing unruly. Soon, over 200 people were massed on the street in front of the bar, and some were threatening, "to tear the place apart."<sup>12</sup> The police called for back up, advised Chinarian to change into a more nondescript shirt, snuck him into a squad car in the alley and took him to headquarters.<sup>13</sup> After being held briefly, he was released on his own recognizance. Word of Chinarian's release spread quickly, and the situation began to spiral out of control. Journalist Nadine Brown of the *Michigan Chronicle* noted the close correlation. "Subsequent report that Chinarian had been released without charge shortly after 10 p.m.," she wrote, "caused an angry crowd of

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<sup>10</sup> "36 Jailed, 8 Hurt in Melee Set Off by Teen's Shooting," *Detroit News* July 29, 1975.

<sup>11</sup> "Clark Hallas, Michael Wendland, Norman Sinclair, Michael Wowk, Pat Murphy, and David Ashenfelter, "3 Tense Nights - A Chronology," *Detroit News*, July 31, 1975.

<sup>12</sup> "Three Tense Nights..."

<sup>13</sup> Norman Sinclair and James Kenyon, "Bar Owner Posts \$25,000 Bond in Slaying," *Detroit News*, July 31, 1975. An article in the Revolutionary Socialist League's newspaper suggested that the shirt Chinarian donned was a police uniform. See, "Jury Hung; Free the Livernois Five," *The Torch/La Antorcha*, vol. 2, no. 11 (November 15-December 14, 1975), Duke University, microfilm and Jim Neubacher and Remer Tyson, "Luck and Strategy Saved City from Riot," *Detroit Free Press*, August 3, 1975.

mostly youths and teenagers, some reportedly from other areas of the city, to launch a rampage of burning and looting.”<sup>14</sup> Early the next morning, Police Commissioner Philip Tannian ordered Chinarian returned to custody, after learning from the Wayne County Medical Examiner’s office that Wynn had been shot in the back of the head, undermining Chinarian’s claim of self-defense. But it was too late.

Back at Bolton’s, a crowd of over 400 people had gathered in front of the bar, and refused to disperse. People began throwing bottles at police, including many female officers who “ducked the same bottles and rocks as their male co-workers.”<sup>15</sup> Police, male and female, black and white, soon responded with tear gas. The use of tear gas on Monday night precipitated an escalation of tactics on the part of the protesters. Soon after, one newspaper reported, “the crowd split into groups of roughly 100 each and began stoning passing cars and policemen.”<sup>16</sup> At a nearby Burger King, young people began culling rocks from a wall surrounding the restaurant’s parking lot to use as ammunition. At least one charismatic organizer gave a racial tinge to the events, hectoring the gathered youth to pelt cars driven by white people with rocks.<sup>17</sup> In one

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<sup>14</sup> Nadine Brown, “‘Hot Summer’ of ‘75: Our Town Keeps Cool; Thanks to Mayor’s Street Savvy, Police Professionalism,” *Michigan Chronicle*, August 9, 1975.

<sup>15</sup> “Policewomen Share Hazards of Livernois,” *Detroit Free Press*, July 31, 1975.

<sup>16</sup> “Police Use Tear Gas as Mob Loots Shops, Stones Officers; Area ‘Coming Under Control,’” *Detroit Free Press*, July 30, 1975.

<sup>17</sup> James Dewey and Fred Girard, “Police Use Tear Gas as Mob Loots Shops, Stones Officers,” *Detroit Free Press*, July 30, 1975; Jimmy Bates testimony, August 13, 1975, James Henderson file #75-5628, Recorder’s Court, Detroit, MI; Gary Young testimony, November 5, 1975, Raymond Peoples file, #75-5545, Recorder’s Court, Detroit, MI. Detail about rocks coming from Burger King wall from Robert Scott testimony, March 25, 1976, Raymond Peoples file, #75-5545, Recorder’s Court, Detroit, MI.

instance, the person caught in the midst of this barrage was an immigrant named Marian Pyszko.

Marian Pyszko worked the night shift at a candy factory in Hamtramck, where he made \$4.94 an hour, plus a fifteen-cent differential for working the night shift. He had held the job for twenty-two years, finding it soon after immigrating to the United States in 1953. He was Polish, Jewish, and a Holocaust survivor. He had frequent bouts with a painful stomach ailment acquired at a German concentration camp, which at times caused him to double over in agony and lose consciousness.<sup>18</sup> Pyszko hadn't heard about the disturbance in the Fenkell and Livernois area because his car radio was broken. And so he took his usual route home, directly through the riot's epicenter. Less than two hours after Chinarian's release without charge from police custody, Pyszko stopped at a red light at an intersection just two blocks east of Livernois. As he waited for the light to change, a group of over a dozen youth approached his car. One of them pulled the driver's side door open and yanked Pyszko out, hitting him in the head several times with a piece of concrete, before leaving him lying unconscious on the street. Similar scenes played out throughout the neighborhood over the next two days and nights, as the streets became a battleground between young people armed with rocks and bottles and police firing tear gas. "It's like they've been saving bottles for the

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<sup>18</sup> Michael Wendland, "He smiled a lot': Mob victim remembered as 'a quiet, likable guy,'" *Detroit News*, August 1, 1975.

past eight years," once police officer observed.<sup>19</sup> When Chinarian appeared in court the next morning, he was charged with second-degree murder based on the results of Wynn's medical examination and again released after posting his \$500 bond. With the first night of disturbances concluded, Chinarian's freedom boded ill for a permanent calm.

### ***Organizing Peacekeepers***

The morning after the shooting, Mayor Coleman Young sat in his office, planning his administration's response to the violence. Young knew the neighborhood well. He and his brother had owned a barbecue restaurant next door to Bolton's for a number of years.<sup>20</sup> He was well aware of its hostility to the black community, and the community's rage at the shooting death of Wynn may have appeared all the more intelligible for that reason.<sup>21</sup> Still, the violence was a crucial test of his campaign's promise of a more just version of law and order. With that in mind, Young set about crafting a response. He ordered the police to implement a restrained approach, and to use deadly force only if the life of a civilian or police officer was in immediate danger.<sup>22</sup> Perhaps even more significantly, Young advised police commissioner Philip Tannian to marshal as many

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<sup>19</sup> Clark Hallas, Michael Wendland, Norman Sinclair, Michael Wowk, Pat Murphy and David Ashenfelter, "3 Tense Nights - A Chronology," *Detroit News*, July 31, 1975.

<sup>20</sup> "How It Began..."

<sup>21</sup> Young told reporters that Bolton's Bar had "been a sore spot in the black community for several years." See Dave Anderson and Remer Tyson, "Young Goes to the People to Defuse a Street Crisis," *Detroit Free Press*, July 30, 1975.

<sup>22</sup> James Dewey and Fred Girard, "Police Use Tear Gas as Mob Loots Shops, Stones Officers," *Detroit Free Press*, July 30, 1975.

African American and women police officers as the department could spare to deploy in the area.<sup>23</sup> He hoped in doing so, he would create a dramatically different impression among protesters of the role that the police department played in the community. Young also fashioned a community response to the disturbance. Using his extensive activist network, built up over many years of organizing in the city, Young began, “contacting citizen groups and enlisting their aid as intermediaries between police and demonstrators” for a meeting Tuesday evening.<sup>24</sup>

The final element of Young’s response rested on his own shoulders. Young determined to go out among the people at the scene of the disturbance and use the “graduate degrees in the arts of wiliness and verbal agility” that were ostensibly what distinguished him from his mayoral predecessors.<sup>25</sup> Just before the Tuesday evening meeting, Mayor Young stopped at Bolton’s Bar. Minutes earlier, in a scene reminiscent of the Pyszko beating, a group of black youth had surrounded a white motorist’s station wagon, pulled him out of it, and used it as a battering ram to break open the bar’s front door.<sup>26</sup> When Young arrived, he climbed atop the car and addressed the crowd. The *Detroit Free Press* reported that Young told the crowd that Chinarian “was being

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<sup>23</sup> Jim Neubacher and Remer Tyson, “Young: ‘I Am Proud of the Police ... Not a Shot was Fired,” *Detroit Free Press*, August 3, 1975; “Policewomen Share Hazards of Livernois,” *Detroit Free Press*, July 31, 1975.

<sup>24</sup> Robert Ostmann, Jr., “Residents Praised as Peace-Keepers,” *Detroit Free Press*, July 31, 1975; Jim Neubacher and Remer Tyson, “Young: ‘I Am Proud of the Police ... Not a Shot was Fired,” *Detroit Free Press*, August 3, 1975

<sup>25</sup> Judd Arnett, “Glimmers of Hope in a Tarnished City,” *Detroit Free Press*, August 1, 1975.

<sup>26</sup> Clark Hallas, Michael Wendland, Norman Sinclair, Michael Wowk, Pat Murphy, David Ashenfelter, “Three Tense Nights - A Chronology,” *Detroit News*, July 31, 1975.

rearrested” and expressed his empathy with their grievances.<sup>27</sup> “The court did us no favor by setting a \$500 bond,” Young reportedly said. “It’s the same bond you get for loitering — and here this guy killed a man.” This, according to the *Free Press*, “was Coleman Young meeting a crisis with the brand of politics he likes and knows best — street politics, played out among people who know and trust him as one of their own, as one who fought his way up and paid his dues, and who had now come back with a message of calm and reassurance.” Nadine Brown, a journalist with the *Michigan Chronicle*, Detroit’s African American newsweekly, echoed this sentiment, attributing the limited extent of the disturbance to Young’s “ingenuity and street savvy.”<sup>28</sup>

From the start, however, it was clear that Young’s “street savvy” approach would encounter stiff resistance from the protesting youth.<sup>29</sup> A *Detroit News* chronology described the same scene this way: “Young urges crowd to peacefully disperse. A few leave, but Young is heckled and someone tosses a rock at him. ‘Burn that bar down and we’ll go home,’ a teen-aged black shouts. Young says he cannot do this. Mayor leaves.”<sup>30</sup> A *Detroit Free Press* article confirmed the *News* account. “As Young stood on the hood of the car that had been used as a battering ram,” the *Free Press* reported, “someone in the

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<sup>27</sup> Dave Anderson and Remer Tyson, “Young Goes to the People to Defuse a Street Crisis,” *Detroit Free Press*, July 30, 1975.

<sup>28</sup> Nadine Brown, “‘Hot Summer’ of ‘75: Our Town Keeps Cool,” *Michigan Chronicle*, August 9, 1975.

<sup>29</sup> Nadine Brown, “Thanks to Mayor’s Street Savvy, Police Professionalism; ‘Hot Summer’ of ‘75: Our Town Keeps Cool,” *Michigan Chronicle*, August 9, 1975.

<sup>30</sup> “Three Tense Nights — A Chronology.”

car heaved an object at him. It missed the mayor and he was not hurt.”<sup>31</sup> An article that appeared several days after the disturbance ended described a dramatic and increasingly dangerous scene when Young arrived at the bar. “A piece of coal flew by his head,” it reported. “Members of the crowd climbed up on the car, members of the crowd urging others to get the mayor.”<sup>32</sup> This prompted a group of four police officers who had just appeared on the scene to emerge from their scout car “brandishing long guns,” though Young eventually waved them off.<sup>33</sup> Young’s brand of “street politics,” then, did little to dissipate popular anger at the scene of the disturbance.

What Young failed to achieve with personal charisma he sought to accomplish through a cadre of “peacekeepers.” Larry Nevels and Barry Hankerson, one-time community organizers now working in Young’s administration, were central to this process.<sup>34</sup> So, too, was Ron Stodghill, an official with New Detroit, Inc., a non-profit organization formed in the immediate aftermath of the 1967 uprising to bridge the distance between the city’s political elite and the estranged African American youth that drove the rebellion. Stodghill had long been active in the civil rights and union movements in Detroit. Nevels, Hankerson, and Stodghill, then, drew on the networks

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<sup>31</sup> James Dewey and Fred Girard, “Police Use Tear Gas as Mob Loots Shops, Stones Officers,” *Detroit Free Press*, July 30, 1975. For report of a piece of coal thrown at Mayor Young, see Jim Neubacher and Remer Tyson, “Luck and Strategy Saved City from Riot,” *Detroit Free Press*, August 3, 1975.

<sup>32</sup> Dave Anderson and Remer Tyson, “Young Goes to the People to Defuse a Street Crisis,” *Detroit Free Press*, July 30, 1975.

<sup>33</sup> Jim Neubacher and Remer Tyson, “Luck and Strategy Saved City from Riot,” *Detroit Free Press*, August 3, 1975.

<sup>34</sup> Robert Ostmann, Jr., “Residents Win Praise as Peacekeepers,” *Detroit Free Press*, July 31, 1975; Jim Ingram, “Cool Heads Meant,” *Like It Really Is, Michigan Chronicle*, August 9, 1975.

with which they were familiar to pull together “an organizing meeting” Tuesday evening at the nearby Gesu Catholic Church. After his hostile reception outside Bolton’s, Young proceeded to the church. In attendance were volunteers from the mayor’s Community Youth Services Program and the police department, civil rights groups such as the NAACP, people affiliated with New Detroit organizations, African American clergy and even local martial arts clubs. These people would be Coleman Young’s “peacekeepers.” The effort was integral to Mayor Young’s attempt to implement a “people’s police force.” Young hoped that cooperation between these civic, community and church groups and the police would minimize the violence of the Livernois disturbance; he would rely on this corps of dedicated volunteers and minimize the brute force long associated with the mostly white Detroit Police Department. At that meeting, an estimated 200 people, mostly black, young and old, were organized into groups that would patrol the streets alongside and in collaboration with police. These groups would insert themselves “between the crowd and the police to act as a buffer between them,” encouraging protesters to disperse in an attempt to avoid confrontations between demonstrators and police.<sup>35</sup>

These efforts had mixed results. According to the *Detroit Free Press*, witnesses noted that “considerable friction” developed through the night “between the peace

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<sup>35</sup> Jim Neubacher and Remer Tyson, “Young: ‘I Am Proud of the Police ... Not a Shot was Fired,’” *Detroit Free Press*, August 3, 1975.

groups and the demonstrators." In part, this friction stemmed from the liberal law-and-order approach that informed the efforts. In the wake of the deaths of Gerald Craft and Keith Arnold soon after Young's election, Larry Nevels had referred to criminals in the black community as "the enemy."<sup>36</sup> The peacekeeping effort Nevels and Hankerson organized was informed by this sentiment. This tension was no doubt exacerbated by numerous incidents in which, "members of the peace patrols would break through police lines to chase the unruly demonstrators." These efforts continued from the time of the meeting at Gesu Catholic Church until 10:30 that night, the deadline police issued for demonstrators to clear the streets or face police action. Again reflecting Mayor Young's new approach, police allowed "peacekeepers" almost two hours after this ultimatum to circulate among the crowd and attempt to convince people to disperse. But these efforts largely failed. As the deadline approached, a group of young people "attacked a police contingent at Fenkell and Livernois with bottles and rocks." With that, Deputy Police chief Frank Blount had had enough. "They made a deal and can't live up to it," he said of the peacekeepers, "tough." As these groups "fell back temporarily behind police lines," Blount ordered police to clear the area, and tear gas canisters flew over the heads of Young's "peacekeepers." As police moved in, protesters again began launching projectiles. The scene illustrated what Young's "law and order, with justice" policies

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<sup>36</sup> James Graham, "Young Plea to Citizens: Rid Detroit of Crime," *Detroit News*, December 7, 1973, Folder 5, Box 182, Coleman A. Young Papers, Charles H. Wright Museum of African American History, Detroit, MI.

meant in practice: whereas the experience of the state and its penal institutions had changed little for African American youth, the police department was well on its way to the “just” reforms Young sought through affirmative action hiring policies and residency requirements.

In the days that followed, the *Michigan Chronicle* published revealing firsthand accounts from two longtime columnists, James Ingram and Nadine Brown, which further attested to tensions between protesters and “peacekeepers” as the latter sought to contain the Livernois disturbance. Both Brown and Ingram had long been active in local and national efforts to reform law and order along liberal premises. Ingram rose to national prominence when he was invited by members of the Attica prison rebellion to participate in the team of investigators into that prison’s conditions. Brown boasted a similarly engaged history. Her most notable achievement was perhaps a negotiated truce in 1970 between the Detroit Police Department and the city’s Black Panther Party, during a tense standoff following a shootout not far from the site of the Livernois disturbance.<sup>37</sup> Their articles provide valuable insight into the dynamics on the street during the second day of the disturbances.

Ingram set out with Ron Sanders, an African American police officer, his supervisor Ron Scott, and Tom Moss, an executive from the police chief’s office.<sup>38</sup> His

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<sup>37</sup> Nadine Brown, “Neighborhood Tension Follows Confrontation,” *Michigan Chronicle*, October 31, 1970; Nadine Brown, “Eyewitness Version of Shootout,” *Michigan Chronicle*, October 31, 1970.

<sup>38</sup> Jim Ingram, “Cool Heads Meant,” *Like It Really Is*, *Michigan Chronicle*, August 9, 1975.

account began with an encounter between Sanders and a “group of young Black toughs.” One called Sanders a pig, and Sanders responded with a “quick rejoinder” that his adversaries would be “barbecued pork” themselves if they didn’t leave the area. Here Ingram emphasized Sanders’ intelligence in contrast to his antagonists. But referring to Sanders as a “pig” in spite of his skin color cut through the dissimulation at the core of Young’s use of a mostly non-white police force to quell the disturbance. The interaction therefore reveals, for participants in the disturbance, that the function of the police, black or white, remained much the same. A second scene revealed similar tensions. Soon after the first encounter, Ingram and his band of peacekeepers encountered a group of young women. Ron Scott pleaded for them to leave the streets in a tone marked by condescension: “sisters, now you KNOW we don’t want to see y’all hurt out here tonight.” But the mood quickly shifted when one of the women responded with a snide remark. Though Ingram failed to note what the woman said, a “snide” rejoinder implies a rejection of Scott’s condescending patriarchy. “That’s cool,” Sanders responded, “but our women are our mainstay, sisters, please get off the streets; you know everybody may not be as considerate as us, you KNOW what the deal is.” But “what the deal is” remained far from clear. What is clear is the intersection of several important themes: a patriarchal insistence that these young women “belong” to a cadre of male leadership; an ostensibly reproductive role as “mainstays” of a present or future community; the use of these themes primarily to clear the streets; and finally a veiled

threat, one referring obliquely to the state violence waiting in the wings if the peacekeeping efforts fail. This in turn demonstrated the leadership role that these peacekeepers hoped to inhabit through their actions as the benevolent side of the state, cajoling and pleading rather than firing tear gas or worse. Ingram reiterated this theme at the conclusion of his article, when he praised the “gutsy, serious, concerned people who kept their cools so we could keep our city.” “So we could keep our city.” This statement suggests the broader stakes at issue in this conflict: a claim to African American political power that Ingram and others felt was being jeopardized by street actions such as the Livernois incident. Containing similar disturbances in the future, Ingram feared, would be “more difficult next time.”<sup>39</sup>

Nadine Brown’s account of her experience as a “peacekeeper” in the streets during the Livernois incident elaborated similar themes. Like Ingram, Brown described numerous scenes of conflict between “peacekeepers” and young protesters. Like Ingram, she too suggested that newly won political power had made such street disturbances superfluous. This was evident in the way two distinct generations figured in her narrative, as well as in her discussion of the participation of the very young in the disturbance. As in Ingram’s article, Brown and other veterans of the civil rights struggle appeared, above all, as keepers of the peace, a role that put them in sharp conflict with

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<sup>39</sup> For Young’s involvement in the Algiers Motel investigation, see Sidney Fine, *Violence in the Model City: The Cavanaugh Administration, Race Relations, and the Detroit Riot of 1967* (Ann Arbor: University of Michigan Press, 1989), 283, 289-90.

the young people in the streets. "As we circulated through the crowd," Brown wrote, "several young persons wanted to know why they couldn't burn Chinarian's bar down." A similar question accompanied Mayor Young's tense standoff with the crowd in front of Bolton's. In this instance, Brown reported an indirect response to the demonstrators from the peacekeepers themselves. "Clergymen, organizational heads and other community leaders proceeded ahead of the police in order to talk to the youth on the side streets," she wrote. As in Ingram's article, a vexed masculinity accompanies the question of political power.

A second scene suggested that this conflict was about the future as much as the past, as Brown, Ingram, and others vied for influence over the youngest participants in this disturbance. "Hidden in the shelter of darkness on Fenkell with the rock-throwing crowds of youths, were youngsters who couldn't have been more than nine or 10 years old," Brown wrote. "NAACP Executive Secretary Joe Madison and others were able to convince some to leave the scene and go home. But others followed the directions of older leaders in their group."<sup>40</sup> Here, Brown narrates a real unease among African Americans who aspired to leadership positions in government and social movement organizations, suggesting their fear that they were losing influence over the youngest members of the black community to a generation younger than themselves and less

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<sup>40</sup> Nadine Brown, "'Hot Summer' of '75: Our Town Keeps Cool," *Michigan Chronicle*, August 9, 1975.

indebted to the history, tactics, and goals of the civil rights movement so formative to their own political identities.

In both Brown's and Ingram's accounts, the behavior of black youth threatens to undermine the black takeover of the city. It was a sentiment that resonated deeply at this time. Charles Colding, a leader of a student walkout at Northern High School in 1966 who was affiliated with Detroit's League of Revolutionary Black Workers, expressed it in an editorial from the period.<sup>41</sup> Colding's article, a guest column in Ingram's own recurring "Like It Really Is" column for the *Michigan Chronicle*, bemoaned, "backsliding" in the African American community. Holding argued that the black community began to backslide when Stokely Carmichael announced the birth of the Black Power movement without translating it "into comprehensible programs." As a result, "we started to backslide as a people." Holding argues that backsliding among African Americans accounted for Richard Nixon's election, saying it never could have happened if "black people across the land had behaved in an intelligent political fashion." Holding then cites "recent evidence" of backsliding, including increasing rates of murder and rape, "the rebirth of street gangs," and "an innovation in the Black community of which no one can be proud, the advent of Black motorcycle gangs." Colding's complaint intersects with attempts by an African American political elite to police the boundaries of acceptable behavior following Coleman Young's election. "After all the wasted lives

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<sup>41</sup> Charles Colding, guest column for Jim Ingram, *Like It Really Is*, *Michigan Chronicle*, August 23, 1975.

of bright and promising young blacks,” Colding says, “all some niggers can think of to do is don those funky leather jackets, buy some motorbikes and harass the black community!”

Mark Anthony Neal pinpoints a similar tension in a dispute carried out across a generational divide between the Last Poets and Niggaz Wit Attitudes (NWA). In their song “Real Niggaz Don’t Die,” NWA samples The Last Poets’ song “Die Nigger.” In the latter, Neal notes, the Last Poets had suggested that, “ ‘niggers’ need to die ‘so that black folk can take over.’ ” In this way, Neal argues, “The Last Poets suggest that ‘niggers’ were antithetical to the progress that the Civil Rights and Black Power movements aimed to bring about.” But NWA changed “niggers” to “niggaz” and challenged the Last Poets’ claim. In contrast to the Last Poets, Neal argues, “NWA identified ‘niggers’ — those ostensibly untouched by the lofty goals of the 1960s — as the cutting edge of black struggle of urban America, challenging oppressive forces like law enforcement in real time.” Thus, according to Neal’s reading, NWA suggests that “niggaz” were central to a struggle African Americans faced that “blacks” had abandoned long ago.

During the Livernois disturbance, a similar struggle emerged. Those African Americans invested in Coleman Young’s electoral victory sought to discipline a group of increasingly precarious young people to the social and economic reality of the 1970s. But in the Livernois disturbance and at other times, those young people resisted that reality. The issue pressed so closely on Ingram and Brown as they wrote their articles that both

concluded by addressing it. Brown described an interview that radio personality Reba Hawkins had conducted with Mayor Young soon after the Livernois incident, which suggested how wrong-headed Brown believed protesters to be. "When we didn't have the ear of City Hall, we had to take to the streets," Hawkins was quoted as saying.

Brown herself concurs: "But now [that] we have a mayor who understands the problems and will deal with them, that is not necessary. All blacks and any other people need to do now is get behind the mayor's program to move this city ahead. Putting roadblocks in his way is like cutting one's own throat." If Brown circumscribed the strategy, Ingram clarified the stakes: "Gutsy, serious, concerned people" had kept their cool and as a result "we could keep our city."

Less than three days after it began, the Livernois disturbance came to an end. Shards of glass mingled with tear gas canisters on the streets, and properties in the area had suffered thousands of dollars worth of damage. But the destruction was nowhere near the scale reached in 1967. Young considered the containment of the disturbance a vindication of his approach, rehabilitating the police department in the eyes of newly elected African American officials charged with governing turbulent city centers. Under African American elected officials, in Detroit and elsewhere, a police force, rooted in and reflective of the community it served, reconfigured the state apparatus through restrained policing and community participation. The purpose was an attempt to avert widespread disaster.

As the disturbance died down, Young's approach had apparently validated the claims of Black elected officials — that they could govern urban areas plagued by poverty, unemployment and crime more effectively, with less brutality and public outcry, than their white liberal predecessors. An article in the *Los Angeles Times* suggested that Young's reforms were gaining a wide hearing.<sup>42</sup> "Most observers agree that calm action by the police, and the presence of Young as the black chief executive of the city, were key factors in minimizing the disorder." This was welcome news to Gloster Current, then director of branches and field administration for the NAACP, who had written a memorandum soon after the Livernois disturbance admonishing local branches to take action to prevent what he feared could become another round of urban unrest. "Summer tensions," he wrote, "aggravated by joblessness, can create unhealthy situations, especially in large, urban areas." Those African Americans buffeted by the social and economic changes Current mentioned, would in the coming years be condemned by Young's new approach to policing to a judicial system and penal institutions that remained relatively unreconstructed.

### ***Citizenship and Violence: Redefining the Limits of Legitimate Protest***

Defining legitimate and illegitimate violence during the Livernois disturbance at the same time ascribed people citizenship, based on who behaved in what way. As a

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<sup>42</sup> Francis Ward, "Detroit's Woes as Bad as N.Y.'s but Different," *Los Angeles Times*, March 28, 1976.

member of the Michigan Civil Rights Commission in 1964, Damon Keith helped draft a memorandum to community officials aimed at ameliorating relationships between police and the black community.<sup>43</sup> Citizenship and its rights were central to the document, and defined to a large extent the grievance that the African Americans had with police. Keith and the Civil Rights Commission recommended, among other guidelines, that “the rights of all citizens to equal protection and treatment under the law” be respected. This was 1964, not long after riots in Rochester, New York, and Harlem. Liberal law and order sought yet again to purge the racial bias central to a new spate of civil unrest from courtrooms and precincts. At Coleman Young’s inauguration, Keith struck a different tone. With Young’s election, and his reforms to the police department, Keith consigned sociological excuses to an earlier mode of governance.

With the Livernois disturbance, Young sought to define how his version of law and order functioned. When Chinarian’s lawyer sought to move his client’s trial outside the city, Young intervened, arguing that “if a change of venue is granted, many people in the community will view with suspicion the whole judicial process, and I would include myself.”<sup>44</sup> On the other hand, Young said, keeping the trial in Detroit would provide an opportunity for “reflection on the maturity, unity and ability (of Detroiters)

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<sup>43</sup> State of Michigan Civil Rights Commission to Local Mayors, Managers, Supervisors, Police Chiefs or Other Principal Officers, August 24, 1964, Civil Liberties - Police Infringements - Michigan, Joseph A. Labadie Collection, Livernois Five Subject Vertical File, University of Michigan Library (Special Collections Library), Ann Arbor, MI.

<sup>44</sup> James Graham, “Keep Bar Owner’s Trial in Detroit, Young Says,” *Detroit News*, November 4, 1975.

to render even-handed decisions and justice." A change of venue would suggest that the racial bias had not been purged from the administration of the criminal justice system. Keeping Chinarian's trial in Detroit would have the opposite effect, allowing a jury made up of Detroiters, which would include half African Americans if it reflected the city's racial demographics, to demonstrate that they had embraced the judicial order Young posited. Less than six months later, Chinarian was found guilty of a "high misdemeanor" in Obie Wynn's death by a jury at the Detroit Recorder's Court and received a two-year sentence.<sup>45</sup>

To defy one's place in the new social order was to forfeit the rights to citizenship. In the case of the Livernois Five, their participation in the events on the streets following Obie Wynn's death nullified those rights. Throughout the disturbance, when people mentioned citizenship, it was accompanied by a set of behavioral norms or a place within the social hierarchy. When Chinarian was first taken into custody, he was released by a police officer because he was "a bar owner, a businessman, and a citizen of the area."<sup>46</sup> Business ownership apparently granted citizenship in the Livernois area. The same criteria determined access to Chinarian's bar among African Americans in the neighborhood. In addition to Mayor Young's "street savvy" and police professionalism, Nadine Brown credited "the cooperation of many citizens who worked hard to calm a

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<sup>45</sup> "The Chinarian Trial," *Ann Arbor Sun*, February 26, 1976.

<sup>46</sup> "Police Use Tear Gas as Mob Loots Shops, Stones Officers; Area 'Coming Under Control,'" *Detroit Free Press*, July 30, 1975.

violent situation.”<sup>47</sup> Here, Brown defines citizens as those who cooperate with police. Brown makes the close tie between the legitimate violence and citizenship clearer when she asserts “no shots were fired by police at citizens ... nor by citizens at police.” But separate articles in the *Detroit News*, *Detroit Free Press* and *Michigan Chronicle* each reported that a patrol helicopter had been peppered with a shotgun blast.<sup>48</sup> Given an unknowable assailant, the action itself defined its perpetrator as beyond the pall of citizenship. Detroit Police Chief Tannian said he was “very much satisfied with the citizen input in handling the disturbance.” Citizens advised the police. Coleman Young himself spoke to this issue when he asserted, “we may have created a new understanding” with the way in which “peacekeepers” and police handled the disturbance. But that understanding was far more in the process of being created than an accomplished fact. Young added a crucial ingredient that would stabilize that claim when, according to one newspaper, he “said this type of incident has attracted outside agitators, ‘flocking here from all over,’ and he invited them to leave Detroit and ‘go

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<sup>47</sup> Nadine Brown, “‘Hot Summer’ of ‘75: Our Town Keeps Cool,” *Michigan Chronicle*, August 9, 1975.

<sup>48</sup> “A police helicopter overhead at the scene was fired on and struck by an apparent shotgun blast but not disabled, police said” in Fred Manardo, James Kenyon, and Michael Wowk, “53 Jailed, 8 Hurt in Melee Set Off by Teen’s Shooting,” *Detroit News*, July 29, 1975; “A police helicopter was peppered with shotgun pellets that police said did not come from a police weapon” in “Police Use Tear Gas on Crowd After Bar Owner Wounds Youth,” *Detroit Free Press*, July 29, 1975; “Alpha 3, a police helicopter that responded to the scene also reported being hit by shotgun pellets while it patrolled the area” in Brian Flanigan, “Cops Hailed for Averting Riot,” *Michigan Chronicle*, August 2, 1975. A later article backtracks from these claims: “There were no confirmed reports of shots fired by citizens participating in the disturbance either, although one police helicopter pilot, Sgt. Don Campbell, said he thought his aircraft was peppered with pellets from a shotgun blast” in “Police Use Tear Gas as Mob Loots Shops, Stones Officers; Area ‘Coming Under Control,’” *Detroit Free Press*, July 30, 1975.

home and look after their own cities.' "<sup>49</sup> Just as the House Un-American Activities Committee and his electoral opponents during the mayoral race sought to assign him a position "outside" the U.S. polity, here Young attributed the Livernois disturbance to a similar group of non-citizens.

Discussion about citizenship also established a set of practices in which citizens did not engage. An editorial in the *Detroit Free Press* mentioned some of these.<sup>50</sup> "There is no excuse for the kind of random violence against people and property that has been taking place," the editorial read. State violence was rational, the article suggested, not arbitrary like the violence of a mob. Hence, "the proper place to press charges against the bar owner in question is in a court of law, not in the streets." Moreover, business owners were citizens, but people who attacked property fell outside of that realm.

At stake in the discussion about citizenship and violence was, at the same time, a question about government — namely who governs. "If you do not have the ability to govern, then you most certainly will be governed," Brown wrote.<sup>51</sup> The comment cut both ways. For those members of the African American community that aspired to govern in the social order Coleman Young inaugurated, they had long been told they did not have the ability to govern. But violence circumscribed who was considered a citizen and therefore who was permitted to participate in the polity. Those people who

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<sup>49</sup> James Harper, Toni Jones, Fred Girard, Remer Tyson, Douglas Williams, "Beating Victim in Livernois Violence Dies," *Detroit Free Press*, August 1, 1975.

<sup>50</sup> Editorial, "Efforts by Young, Police Offer Hope for Peace," *Detroit Free Press*, July 31, 1975.

<sup>51</sup> Nadine Brown, "We, the People, Threat to Survival of City of Detroit," *Michigan Chronicle*, August 16, 1975.

participated in violent disturbances after Coleman Young was elected, Brown said, “most certainly would be governed.”

### **“White Man’s Justice...”**

This was Obie Wynn’s Detroit, a city that had undergone almost three decades of deindustrialization by 1975, riven by racial tension, in which one segment of the African American community sought mastery over another. In the decades since the end of World War II, while much of the rest of the country experienced a postwar boom, Detroit began to decline. Its factories moved to the suburbs and to the non-union states of the country’s South and Southwest, while those that remained hemorrhaged jobs due to automation. People expelled from stable, waged work in the formal economy became ever more precariously employed, and often gravitated to the informal economy of the streets. Black youth felt these contractions more than anyone else. At Wynn’s funeral, Rev. Matthew Hatcher of the Tabernacle Baptist Church, a storefront church near Bolton’s on Livernois, aptly described him as “an average American kid reared in the ghetto.”<sup>52</sup> Unemployed, a long history of run-ins with racist police officers and business owners, and trying to make a life for himself as opportunities seemed increasingly difficult to come by — Obie Wynn was indeed typical. So was Raymond Peoples.

Peoples grew up in the area, less than a mile from Bolton’s Bar. Like Obie Wynn, he was unemployed in July 1975. During the 1974-75 recession, he was laid off from his

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<sup>52</sup> “Wynn Was ‘Average Kid Reared in the Ghetto,’” *Detroit Free Press*, August 3, 1975.

job at the Dearborn Iron Foundry, part of Ford's historic River Rouge complex, where he was a member of UAW Local 600.<sup>53</sup> "My son was one of the Livernois Five. I know my son. I love my son," said Mabel Peoples. "He was working at Ford, he was only laid off and he is a hard worker. He is a good mechanic and I know that he has a lot of potential."<sup>54</sup> He also participated in the melee following Wynn's shooting, and was one of the more than one hundred people arrested in what the radical press called a "racist dragnet" conducted by police in the aftermath of the Livernois disturbance.<sup>55</sup> Along with James Henderson, Ronald Jordan, George Young, and Douglas Lane, Peoples — "Baby Ray" to his friends — was charged with the murder of Marian Pyszko. Once charged, Peoples and the others, now known as the "Livernois Five," were remanded to the Wayne County jail without bond.<sup>56</sup> Though Lane and Young, as juveniles, eventually had their charges dropped, Peoples, Henderson, and Jordan were each held for eleven months, as the state of Michigan tried to convict them in Pyszko's death.

Whereas Coleman Young represented the height of respectability for the civil rights movement, Raymond Peoples and the Livernois Five represented something far different. As unemployed workers, their rebellion reveals the wide divide separating

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<sup>53</sup> Information regarding Peoples' employment history from Mike Ermler, a member of the Revolutionary Socialist League closely involved in the Livernois Five defense effort, phone interview by author, January 24, 2011.

<sup>54</sup> "Torch Interview with Livernois 5 Mother: 'Being a Revolutionary Means You Have Got to Be Ready,'" *Torch / La Antorcha*, February 15 to March 14, 1976.

<sup>55</sup> "Jury Hung; Free the Livernois Five!" *The Torch / La Antorcha*, November 15 to December 14, 1975.

<sup>56</sup> Brian Flanigan, "Wait Pyszko Slaying Trial," *Michigan Chronicle*, August 23, 1975; James Kenyon, "Pyszko Case to be Retried; Police Pressure Cited by Juror," *Detroit News*, November 14, 1975.

them from Coleman Young and the civil rights establishment.<sup>57</sup> There was a wildcat of the streets. Like workers across the country who embraced the wildcat as the last form of resistance left to them by a union-sanctioned grievance procedure that did little to address their concerns, the Livernois Five rebelled against more than just capitalism and its bodyguards in the form of employers, managers, and police. Their rebellion was directed at the organizations, created through mass struggle and originally meant to represent their interests, that now comfortably occupied the halls of power, while they, the unorganized, unemployed, and largely anonymous black youth, remained uncomfortably subject to the power of the state in the streets.

The standoff between Coleman Young's patrols, recruited through the usual civil rights channels in the city, and black rioters on the streets of Livernois and Fenkell suggests the profound divide that had grown up between these organizations and ordinary black working, and increasingly non-working, people. Just as wildcats in the factories quickly found themselves facing off against companies and unions, wildcats in the streets fought both police officers, now multiracial and multi-gendered, as well as representatives of a civil rights establishment that had gained power and yet offered few answers to the problems they faced in their daily lives. The resulting trial of the Livernois Five defendants demonstrated how little had changed for black youth, even in

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<sup>57</sup> For an examination of the tensions that inhered in black urban regimes that emerged in this period, see John Arena, "Bringing In the Black Working Class: The Black Urban Regime Strategy," *Science and Society* 75, no. 2 (April 2011): 153-79.

the aftermath of Coleman Young's promise of "law and order, with justice." Denied bail, tried three times for the same crime in violation of the Michigan Constitution, and subject to police misconduct as well as apparent bias on the part of their presiding judge, the Livernois Five languished in the notoriously decrepit Wayne County Jail for eleven months as the state tried again and again to convict them.

The preliminary exam for the Livernois defendants took place two weeks later, and from the outset, the stakes were high. The prosecution sought first-degree murder charges against six black youth based on the police investigation following the disturbance. Doing so gave an air of collective punishment to the proceedings, paralleling the collective disavowal of prevailing social conditions that the Livernois events represented. Detroit's most prominent radical personality and a former member of the League of Revolutionary Black Workers, Cockrel, represented one of the youth, Dennis Lindsay, at the examination. As he had many times in the past, Cockrel put the Detroit criminal justice system on trial. He immediately sought access to the courtroom for the several hundred people who had come to the courthouse in support of the defendants. "If the court please, what's the deal on the other people outside who are trying to get into the courtroom? I think they have a right to be here during the trial."<sup>58</sup> Judge Joseph Kadela responded that police officers had told him "there are some people

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<sup>58</sup> Preliminary exam transcript, James Henderson file # 75-5628, Recorder's Court, August 11, 1975, Detroit, MI.

who appear to be rowdy and those we would want to keep out.” Prosecutor James Wouczyna concurred, adding that, “the witnesses who have been brought to testify ... have been threatened here today.” To this Cockrel vigorously objected. “We’ve got a right to a probate trial and this prosecutor can’t just stand up here and based on third and fourth-hand hearsay ... suggest to you that ... someone is looking to break the law.” Cockrel continued: “I take the position that my client’s people should be in the courtroom, and I take the position that anybody else should have the right to come into this courtroom unless there is not room for them.” Judge Kadela then called police officer Sam Palazzola to testify about the disturbance outside the courtroom. Palazzola testified that between one and two hundred people “in a very unruly state” stood outside the doors when he and other officers opened them. This crowd, including members of the defendants’ families and supporters organized by the RSL, “snatched the door” out of the officers’ hands and attempted to enter the courtroom, according to Palazzola, “in total disregard for any authority.” In spite of this, Cockrel’s arguments convinced the judge to open the proceedings to the community gathered outside.

This was a significant moment for all concerned. It represented a convergence of radicals like Cockrel, a part of the younger generation of working class militants responsible for organizing the League of Revolutionary Black Workers and black youth like the Livernois defendants, a generation little enamored with the gains of a civil rights movement that seemed to offer them little, and young radicals, mostly white veterans of

the northern student movement. It also involved a group called the Revolutionary Socialist League, a Trotskyist organization that consisted in large part of former student radicals involved in Students for a Democratic Society. The RSL was part of a wave of left-wing political parties formed in the early 1970s as student activists embraced Marxist party building.<sup>59</sup> These groups sent cadre members to cities like Detroit to work in factories and foment revolution, a turn to the working class distinct from the political violence of the Weather Underground. After the first trial, the Communist Labor Party, a group founded by General Baker, another former League member, contributed legal aid. This was a unique coalition with the potential to appeal to a wide swath of Detroit's population in the 1970s. Programmatically, the RSL articulated a staunch opposition to Coleman Young's policies on anti-capitalist and even anti-racist grounds. Socially, black youth took the lead. Lined up against them were the forces of law and order, including the police and prosecutor, Mayor Coleman Young and his electoral base. They sought, Ingram and Brown argued, to prove that the street tactics of the civil rights movement were no longer necessary in the era of black electoral office. Joining the latter in this ideological effort were the *Michigan Chronicle*, the organ of Black social mobility in Detroit, and liberal and progressive whites like Remer Tyson of the *Detroit Free Press*, the established labor union bureaucracy and the staff of the *Ann Arbor Sun*, themselves veterans of the hippie counterculture strongly supportive of Young.

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<sup>59</sup> Max Elbaum, *Revolution In The Air: Sixties Radicals Turn to Lenin, Mao and Che* (London: Verso, 2002).

It didn't last, however. Cockrel succeeded in getting the charges against Dennis Lindsay dropped and subsequently dropped out of the case himself.<sup>60</sup> Soon after, Cockrel took up the case of Madeline Fletcher, the first African American woman accepted to the Flint Police Department, who was then facing prosecution on assault charges after an altercation with a white senior officer that resulted in mutual superficial gunshot wounds.<sup>61</sup> The year after, Cockrel successfully ran for a seat on Detroit's city council. Though Cockrel opposed the drive to increase policing against black youth that Coleman Young and the *Michigan Citizen* championed, his decision to represent Fletcher in an important affirmative action case rather than the Livernois defendants is a significant one, resonating with the growing divide in the Black community at the time. Cockrel's presence on the Livernois case would likely have raised it to national prominence, at the same time lending visibility to the important political issue it entailed — the fate of unemployed black youth in deindustrializing urban centers. Still, that decision was in keeping with the direction in which prominent African American leaders were heading in the 1970s. Though the trial proceeded without Cockrel, the stakes remained just as high.

Though witness testimony contained enough evidence to warrant charges against the Livernois defendants, it also suggested a pattern of police coercion that

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<sup>60</sup> According to one former RSL member, Cockrel was willing to consider continuing on the case if his terms could be met - \$20,000 or a mass movement. Mike Ermler interview with author.

<sup>61</sup> "Fletcher Reinstated to Flint police," *Ann Arbor Sun*, October 8, 1976.

would ultimately prove decisive in the case. Indeed, it was this pattern of abuse and misconduct that served as the main focus of the defense's attempts to undermine the prosecution's case. Michael Dorris's experience was typical. Dorris was questioned less than a week after the Livernois incident, as were a number of other young black men from the neighborhood, including Jimmy Bates, Gary Young, Johnny Ward, Gregory Beasley, Jeffrey Powell, Bernard Boykin, George Reed, and Robert Scott. All of them participated in the melee on the streets following Wynn's shooting. Each was swept up in the "racist dragnet" conducted by police after Marian Pyszko's death.

What distinguished this group of young men from the Livernois Five was that police succeeded in convincing them to exchange their testimony as an eyewitness to Pyszko's death for a variety of favors, from reduced charges for their role in the Livernois disturbance to outright immunity or even a favorable word for one of the young men who aspired to become a police officer. In the case of Michael Dorris, he admitted to his participation in throwing rocks near the Burger King franchise near where Pyszko was killed. But in his initial encounter with police, Dorris failed to identify anyone at a line-up justification. Police then placed him in the ninth story "bullpen" — a communal holding cell — at police headquarters, along with Dennis Lindsay and Ronald Jordan. After spending a night in jail, police took Dorris before a judge at Detroit's Recorder's Court — the criminal court with jurisdiction over the city of Detroit. In court, police showed Dorris a pending charge for car theft against him, and

reminded him that he was on probation for carrying a concealed weapon. They told him he faced five years for the car theft, and four for the concealed weapon charge. At this time, Dorris agreed to cooperate with the prosecution. When police then showed him a photo array consisting of four photographs, including one each of Jordan and Lindsay, Dorris identified photographs of his cellmates from the night before, and gave police a second statement implicating them in Pyszko's death. The next day, an application for immunity was submitted on Dorris's behalf, and approved the following day. Six days later, Dorris appeared at the pre-trial examination. But while he testified that the Livernois defendants participated in the death of Marian Pyszko, defense attorneys successfully drew out the entire sordid agreement between Dorris and the prosecution, fatally undermining his testimony.<sup>62</sup>

A similar pattern of police misconduct evinced itself with each prosecution witness. Gary Young, the brother of defendant George Young and one of the prosecution's star witnesses because he could place the defendants at the scene of the crime, testified that police promised him if he made a statement he would not be charged in Pyszko's death. In the first trial, however, defense attorney Charles Campbell elicited from Gary Young the fact that he knew Peoples, Henderson, Jordan and Lindsay

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<sup>62</sup> Michael Dorris' and Jimmy Bates' preliminary exam testimony taken from James Henderson file # 75-5628, Recorder's Court, Detroit, MI. All trial testimony taken from Raymond Peoples file # 75-5545, Recorder's Court, Detroit, MI. See also James Graham, "Coercion Claimed in Beating Case," *Detroit News*, November 4, 1975; "Witness Says Police Coerced Him," *Detroit News*, November 5, 1975; James Kenyon, "Pyszko Case to be Retried; Police Pressure Cited by Juror," *Detroit News*, November 14, 1975.

were already under arrest, and that Young chose to implicate them because police told him he would go to prison if he didn't cooperate.

Bernard Boykin testified that police questioned him with and without his mother present. In the first instance, Boykin was unable to name anyone involved in Marian Pyszko's death. But when his mother left, Boykin was taken to the prosecutor's office alone, where he was questioned for a second time, for several hours, without anyone recording or taking notes. Boykin eventually gave police a statement implicating Raymond Peoples.

Jeffrey Powell, a longtime friend of Peoples and Jordan, attested to still another tactic that police used in this case. Powell told the court that he wrote out his initial statement, but that homicide detective Gil Hill subsequently typed out, and changed, that statement. In court, Powell argued with the prosecution over this point, maintaining that Detective Hill framed his words incorrectly. Under cross examination, perhaps as a way to explain why he initially agreed to Hill's version of events (assuming he read the statement before signing), Powell, an aspiring police officer, noted that Hill told him he could use his name when applying to the police force.

Like Michael Dorris, Gregory Beasley counted on his testimony in the case against the Livernois Five to reduce charges he faced for other crimes. When defense elicited this fact during the second trial, Beasley told the court he "was told that if I

picked somebody out [of a line-up] that I might possibly get to go home that night. If not, I was going to go behind the great steel doors. I remember that distinctly.”

Jimmy Bates provided perhaps the most damning testimony against the Livernois defendants. He testified that he drove to the scene of the disturbance with the defendants and that all of them, he included, participated in the rock throwing outside Burger King. Bates also testified that George Young pulled Pyszko from his car, while Raymond Peoples, Ronald Jordan, and James Henderson threw rocks at him. This testimony was crucial to the prosecution’s case. While Gary Young could place the defendants at the scene, Bates directly implicated them in Pyszko’s death. Still, police misconduct undermined Bates’s account as well. On the stand, defense elicited from Bates that he “agreed to testify after police investigators gave him the choice of being either a defendant or a witness in the case.” When asked why this worried him so much if he was innocent, Bates responded, “Jackson (prison) is full of innocent people from what I hear.”

Witness testimony proved substantial enough to warrant charges against the defendants, thereafter known as the Livernois Five.<sup>63</sup> Once charged, Peoples and the others were held without bond, in stark contrast to Chinarian’s eventual \$25,000 bond for his indisputable role in the death of Obie Wynn. Chinarian posted his bond

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<sup>63</sup> Michael Dorris’ and Jimmy Bates’s preliminary exam testimony taken from James Henderson file # 75-5628, Recorder’s Court, Detroit, MI. All trial testimony taken from Raymond Peoples file # 75-5545, Recorder’s Court, Detroit, MI.

immediately, and was back on the street the same day. Indeed, three months later, while awaiting trial for the second-degree murder of Wynn, Chinarian had already reopened Bolton's Bar.<sup>64</sup> None of the Livernois Five were so lucky.<sup>65</sup> Denied bail again and again, they would spend the next eleven months in the Wayne County jail, an institution that had long been a source of resentment for Detroit's black population, as their case wound its way through three separate trials.<sup>66</sup>

### **"...Black Man's Grief"**

Conditions in the Wayne County Jail had long been a source of resentment for Detroit's black population. It was an uncommonly harsh and unremitting institution, even by the city's own standards. Events in the recent past had only confirmed the lingering sense of injustice among its inmates and their families. Chief among the community's grievances was the jail's notorious overcrowding. In 1969, Sheriff William Lucas denied a request from Juvenile Judge James Lincoln for additional guards at the county juvenile home due to inmate crowding at the county jail. This in turn precipitated Lincoln's release of dozens of juvenile offenders into the community.<sup>67</sup> In

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<sup>64</sup> "Keep Bar Owner's Trial in Detroit, Young Says," *Detroit News*, November 4, 1975.

<sup>65</sup> Peoples, Henderson, Jordan, Young and Lane were given this appellation by the Revolutionary Socialist League, which coordinated much of their legal defense, raised funds to cover legal expenses through community outreach, and covered their trial extensively in its monthly newspaper, *The Torch/La Antorcha*. The RSL continued to use the moniker even after charges on Young and Lane were dropped during the first trial.

<sup>66</sup> Defense attorney Hugh Davis argues that "all Bond Motions at every stage of the proceedings" had been denied. "Motion to Quash Information," April 21, 1976, in Raymond People's Recorder's Court file #75-5545.

<sup>67</sup> Stephen Cain, "Youth Home Lets Out 60 to Ease Crowding," *Detroit News*, February 25, 1969.

1970, the *Michigan Chronicle* published an exposé of conditions at the jail after journalist Henry Slayton was arrested and spent a harrowing weekend there.<sup>68</sup>

The climax of my experience came when a [Black] Panther and I were taken to Cell Block 5. No lights were on, cell doors were locked and each room was full, leaving nothing for us to sleep on but an iron bench in a 55-degree room. We asked for sheets and were informed there were no sheets. When we refused to enter, voices from darkened rooms warned us that the hole was worse and would likely be our next stopping point. So we reluctantly entered and once again I spent the night pacing the floor, this time accompanied by rats.

“Overall,” Slayton summarized, “The county jail is a disgrace to the community and to Sheriff William Lucas.” “Something must be done,” Slayton warned, “before all hell breaks loose.”

In 1971, radical attorneys Justin Ravitz and Ken Cockrel tried to do something, filing a lawsuit on behalf of six of the jail’s inmates demanding redress of their many grievances. These included bad plumbing and electricity, cold meals, infestation by cockroaches as well as rats, and a lack of recreation for inmates. Perhaps the most damning charge Ravitz and Cockrel leveled at the jail involved a breach of basic due process protections: “The prisoners also claim that conditions in the jail rob them in many instances of their rights to a fair trial, because the inmate may be induced to plead guilty to charges against him in order to get out of Wayne County jail.”<sup>69</sup> Ravitz announced the case in his typical polemical style, stating, “The Wayne County jail is a

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<sup>68</sup> Henry Slayton, “Nabbed Chronicle Reporter’s Account of Jail Conditions,” *Michigan Chronicle*, November 14, 1970.

<sup>69</sup> Marvin Wanetick, “County Jail ‘Is a Day-to-Day Hell’,” *Michigan Chronicle*, March 13, 1971.

monstrosity — an overcrowded, outmoded disgrace to the county and a daily hell for the prisoners, almost all of whom have yet to be convicted of a crime.”<sup>70</sup> Ultimately, a three-judge panel concurred, and ordered the jail’s administrators to rectify the deplorable conditions.<sup>71</sup>

Nor was Ravitz’s indictment particularly out of line with sentiment in the black community. In a letter to the *Michigan Chronicle*, Mrs. W.P. Wilson denounced the conditions at the jail. Again highlighting the divide within the black community in this period, she accused community leaders of indifference to the plight of young people incarcerated in the jail. “Why is this racist torture handed out to our young people while our black leaders sit back and cooperate with the ruling class?” she asked. In stirring words, she suggested that failure to act on behalf of incarcerated youth created tension within the black community: “Hide, black politicians, behind your mahogany desk and paneled walls! Hide, black preachers, behind the Holy Bible and your finery! God sees you for what you are and those who suffer in the Wayne County jail know you for what you are and what you should and could be.”<sup>72</sup>

So deep ran resentment against the county jail, and the bond system that forced so many poor black men to languish within it, that Detroit novelist Donald Goines wrote

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<sup>70</sup> Wanetick, “County Jail ‘Is a Day-to-Day Hell.’”

<sup>71</sup> Attorney William Goodman asserted four years later that the conditions had changed so little that the jail was “clearly in contempt of court,” referring to the earlier ruling. Brian Flanigan, “Ask Jail Hanging Investigation; Requested by Lawyers for Inmates,” *Michigan Chronicle*, September 20, 1975.

<sup>72</sup> Mrs. W.P. Wilson, “Leaders Fiddle While the Young Burn at County Jail,” *Michigan Chronicle*, March 6, 1971.

a novel dedicated to exposing these twin inequities. In *White Man's Justice, Black Man's Grief*, Goines wrote "An Angry Preface" in which he refers to the bail bond system as "an awesome abuse inflicted upon the less fortunate — the poor people of this country — an abuse which no statesman, judge or attorney (to my knowledge) has moved to effectively remedy. I'm speaking of the bail-bond system."<sup>73</sup> As a result of this system, Goines argues, many people "spend more than a year in county jails simply because they couldn't raise bail-bond money." Alternately, poor people might "have to pawn their belongings, sell their cars or borrow money ... to regain their freedom so that they can, hopefully, stay gainfully employed." This resonated with the experience of the Livernois Five. Denied bail again and again, they languished in prison for almost a year. As former Ford employees, defendants Peoples and Henderson may even have been called back by the automaker as the country pulled out of recession at the beginning of 1976. If this were a possibility, it remained only that.

Goines also displayed a remarkable insight into the constitutional violations regarding due process raised in the lawsuit filed by Ravitz and Cockrel. In an evocative scene, Goines depicts inmates recently convicted and sentenced to years in the state penitentiary as jubilant because their ordeal at the Wayne County jail will soon be at an end.

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<sup>73</sup> Donald Goines, *White Man's Justice, Black Man's Grief* (1973; repr., Los Angeles: Holloway House Publishing, 2007), 9.

Most of the prisoners who came out of the wards seemed happy to be going. They grinned at each other, joked with men in the other wards ... a passerby who didn't know would have thought the men were going home. He would never guess that they were all on their way to the state prison. But that was the way the county jail affected a man. After staying there any length of time, the men were glad to go to prison, just to get away from the sorry food, the sorry sleeping conditions, the unwholesome closeness of a lot of men shoved inside a small ward with nothing to occupy their minds.<sup>74</sup>

Goines' account echoes the skepticism toward black leadership found in Mrs. Wilson's letter. "Black people are aware of this abuse," Goines suggested in his "Angry Preface," "for a disproportionate number of blacks suffer from it." And yet, he argued, "Black people are powerless to remedy the situation," as "none of our black leaders (or should I say so-called 'black leaders') seem inclined to fight city hall over this issue." While these sentiments overstate the importance of black leaders' role in the struggle for equality, and understate the roles that grassroots efforts have long played in rectifying the many abuses to which the African American community has been subjected in the U.S., they also highlight the tension between leaders of the black community and their purported constituents. Indeed, this issue — the relation of black leaders to black criminality — had a very long history, and would continue to bedevil prisoner rights activism well into the future.

The conditions the Livernois defendants faced in the Wayne County Jail were not fiction, though, and neither had they been consigned to history. The same day Michael Dorris was taken into custody and encountered Lindsay and Jordan in the "bullpen" at police headquarters, newspapers reported that Chatine Cugbill, an inmate in the County

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<sup>74</sup> Goines, 189.

Jail had been found hanging in his cell.<sup>75</sup> Less than a month earlier, another death in custody was reported.<sup>76</sup> Within a month of the Livernois Five's arrival at the Wayne County Jail, four African American men had died in police custody. In December, after five months in jail, Peoples was beaten by police and received wounds extensive enough that he required medical treatment.<sup>77</sup>

This was the case in the Livernois Five: Police coercion intended to gain a conviction, repeated refusals to grant bond motions, confinement in the Wayne County Jail for nearly a year, and beatings at the hands of their guards. It was a litany of constitutional abuses suffered by African American men at the hands of a criminal justice system that had long treated them in similar fashion. But the Livernois Five found few supporters among those who in the past had championed the reforms of liberal law and order. Far more, the detailed accounts of the "peacekeeping" effort during the disturbance printed in the *Michigan Chronicle* presaged the limited support the defendants received within the African American community. Few black leaders of any prominence came to the defense of the Livernois Five during their trial. These leaders sought instead to participate in the policing of the Livernois disturbance that

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<sup>75</sup> "Probing Prisoner Hanging," *Michigan Chronicle*, August 2, 1975.

<sup>76</sup> Brian Flanigan, "Ask Jail Hanging Investigation; Requested by Lawyers for Inmates," *Michigan Chronicle*, September 20, 1975.

<sup>77</sup> "Free the Livernois Five!" leaflet, Joseph A. Labadie Collection, Livernois Five Subject Vertical File, University of Michigan Library (Special Collections Library), Ann Arbor, MI; "Torch Interview with Livernois 5 Mother: 'Being a Revolutionary Means You Have Got to Be Ready,'" *Torch / La Antorcha*, February 15 to March 14, 1976.

sought to consign Peoples and his friends to a particular place within a reconfigured social order. Raymond Peoples rejected his place in that order.

### ***The Speech that Causes Politics***

In addition to the treatment the black youth residing in the Livernois area received from police, and the conditions the Livernois defendants faced in the Wayne County jail, those defendants had to deal with the additional burden of a judge with a reputation for harshness and a prosecution team that seemed overzealous to produce a conviction. When the first trial ended in a hung jury, the prosecution immediately sought a re-trial. The second trial was little different from the first. Prosecutors again presented Michael Dorris, Jimmy Bates, and Gary Young as their star witnesses, alongside over a dozen additional witnesses, each telling fragmentary stories of the events of that night. The defense again demonstrated the coercion of these witnesses that had taken place. Again a jury was unable to reach a verdict. A mistrial was declared, and again the prosecution declared its intention to seek another trial. The third trial was set for May 7, 1976, and the defendants were remanded yet again to the custody of the Wayne County Jail.

The defense was livid at the prosecution's demand for a third trial. Raymond Peoples' attorney quickly filed two terse motions on his behalf. The first was a motion to disqualify Judge Gillis from the case. Gillis transferred this motion to disqualify to his

Recorder's Court colleague, Judge Patricia Boyle.<sup>78</sup> The motion made its case about the "obvious bias and prejudice of the Trial Judge" through a series of points. Through a careful reading of the transcripts from the preliminary examination and the first trial, along with interviews the defense conducted with jurors from that trial, the defense concluded that Judge Gillis "made continuous demeaning remarks to attorney Charles Campbell," who represented Peoples and Henderson in the first court proceeding. The defense also claimed that Gillis "lack[ed] judicial temperament," as he "constantly adopt[ed] a calm, dispassionate and favorable attitude toward the People and the prosecutor while evidencing hostility and impatience toward the defendants." In addition to this sense of unequal treatment, the defense cited a long record of rulings in favor of the prosecution and against the defendants. These included refusing to allow the defense to voir dire jurors who showed racial prejudice, in spite of the racial overtones involved in the case. Gillis also refused to allow the defense to voir dire potential jurors who admitted, "receiving hearsay knowledge of the deceased through relatives," and who were themselves in the area the night of the disturbance. Finally, the defense noted that Gillis allowed into evidence videotape statements in which witnesses claimed that Raymond Peoples was involved in other crimes, without allowing the defense to explain or defend Peoples against those accusations. The motion concluded by accusing Gillis of "deliberately and illegally attempt[ing] to influence the jury

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<sup>78</sup> "Motion to Disqualify," April 21, 1976, in Raymond Peoples's Recorder's Court file #75-5545.

deliberation by withholding ... requested portions of the testimony of prosecution witnesses when there was no legal or practical justification" for doing so. For these reasons, the defense requested Gillis be dismissed from the case. Judge Patricia Boyle denied the motion. The Livernois Five would be tried a third time, and Gillis would again be their judge.

The decisive moment in the trial came when Peoples' attorney filed a motion seeking to quash information against the defendants, essentially dismissing the trial. This motion amounted to an objection to a third trial on the grounds that it violated the due process protections of the Michigan Constitution. The argument over whether or not there would be a third trial demonstrated the state's commitment to a guilty verdict and suggested the importance the trial had as a symbol of the fate that awaited insurgent youth in the era of African American municipal governance. In this motion, the defense argued that "re-prosecution of this matter would deny [the defendants] of their constitutional guarantees of due process of law and against double jeopardy."<sup>79</sup> Noting the two hung juries, the defense noted that to his knowledge, "in no other case ... have any Defendants been tried a third time after two successive mistrials by reason of a hung jury." More technically, the motion argued that previous Michigan law, which allowed a retrial if a jury failed to reach a verdict, was wrong and "only a codification of previous erroneous law." The motion argued that Michigan law, unlike federal law,

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<sup>79</sup> "Motion to Quash Information," April 21, 1976, in Raymond Peoples' Recorder's Court file #75-5545.

contained no stipulation that jeopardy “did not attach until a jury verdict had been rendered,” and hence the *Livernois Five* case could be considered double jeopardy even without a verdict.

Moreover, Peoples’ attorney argued, “the successive prosecutions are politically motivated, brought in an atmosphere of hate and adverse publicity, generated by considerations other than the probability of success at trial, and visited upon indigent minority defendants who should be allowed the protection of the rule that ‘... the state with all of its resources and power should not be allowed to make repeated attempts to convict an individual for an alleged offense, thereby submitting him to embarrassment, expense and ordeal and compelling him to live in a continuing state of anxiety and insecurity, as well as enhancing the possibility that even though innocent he may be found guilty.’ ”<sup>80</sup> Finally, the defense argued that it was the prosecution that failed to prove its case in two successive trials. For these reasons, defense moved to quash the information against the defendants, and to release them from custody. At a court hearing May 5, Gillis denied this motion.

It was at this hearing that Raymond Peoples rejected his place in the social order Gillis intended for him. After Gillis denied the motion to dismiss the case on the grounds of double jeopardy, he also denied a continuance requested by the defense in

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<sup>80</sup> The defense took this lengthy quotation from *Green v. United States*, 355 US 184; 78 S Ct 221, 2L Ed 2d 199 (1957).

order to allow the defendant's families to raise money to retain his lawyer for a third trial. "Judge," Peoples said to Gillis, "I want this attorney. He's on my side. I come from a poor family and we can't just pick money off a tree." Gillis replied, "Defend yourself or accept the court-appointed attorney." With that, Peoples' attorney motioned to withdraw as counsel, a motion Gillis granted. Gillis then agreed to delay the start of the trial an additional week, in order to give the newly appointed defense time to prepare. Afterward, Gillis told Peoples that the new delay indicated his fairness, that there was now no question that he had dealt with Peoples justly. Peoples replied, hotly, "I haven't seen an ounce of justice in this trial!"<sup>81</sup>

It wasn't merely the judge Peoples was angry with, however. Nor was Gillis the only one he believed had dealt with him unjustly. A month before his confrontation with Gillis, Peoples demonstrated in a letter that he had been paying close attention to the rhetoric surrounding the Livernois incident, particularly that of Mayor Young.<sup>82</sup> "I'm quite sure we are all aware of Coleman Young's position in our society," Peoples wrote. "He personally spoke on the second day of this disturbance, and claimed he would see justice done in behalf [*sic*] of the racist killing of Obie Wynn. But has there been? No!" This suggests that Peoples may have been present in front of Bolton's Bar that Tuesday evening, when Mayor Young was accosted and assured the crowd, according to an

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<sup>81</sup> "Livernois 5 Denied Lawyer, Bail & Appeals," *The Torch/La Antorcha*, May 15 to June 14, 1976.

<sup>82</sup> "Livernois Five Speak Out," *The Torch / La Antorcha*, vol. 3, no. 4, April 15 to May 14, 1976.

interview with him conducted days later, that Chinarian would face “the full weight of the law” for Wynn’s shooting death.<sup>83</sup> Evidently, Peoples did not consider Chinarian’s conviction two months earlier for reckless use of a firearm — a high misdemeanor with a maximum two-year sentence — as at all comparable to his own treatment.<sup>84</sup> As he had rejected Gillis’s condescending mercy, Peoples rejected, too, the double standard that remained within Coleman Young’s version of liberal law and order. Indeed, it may have seemed to him, with good reason, little different from the type of justice poor and working class black people had long come to expect from the Detroit criminal justice system.

## **Conclusion**

Improbably, however, the jury in the third trial was able to reach a unanimous verdict — not guilty. In an interview with the *Detroit News* following the trial, one juror cited Dorris’ unconvincing testimony — in which he failed to identify Henderson — and the immunity he had been granted by the prosecution as decisive to the jury’s decision to acquit.<sup>85</sup> Similar doubts had plagued jurors in the previous trials. At the end of the first trial, the jury foreman told the *Detroit News* that “police pressure” was “the main reason jurors could not reach a verdict” in the case.<sup>86</sup> The prosecution suggested something similar during its summation in the third trial. Prosecutor Boak reportedly,

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<sup>83</sup> “Young: ‘I Am Proud...’”

<sup>84</sup> “The Chinarian Trial,” *Ann Arbor Sun*, February 26, 1976.

<sup>85</sup> Richard Willing, “3 Detroiters Freed in Pyszko Murder Trial,” *Detroit News* June 19, 1976.

<sup>86</sup> James Kenyon, “Police Pressure Cited by Juror,” *Detroit News*, November 14, 1975.

“had to admit ... that ‘it was possible’ that the cops and the prosecution were under pressure to find a victim.”<sup>87</sup> This, too, was an old pattern in Detroit, one that jurors finally agreed had changed little, in spite of Mayor Young’s claims, by May 1976, when they finally rendered their verdict and the Livernois Five were freed. With that, the eleven-month ordeal of the Livernois Five was at an end.

Though a guilty verdict was not forthcoming, Young used the Livernois disturbance to argue that his police reforms had been a success. At a meeting of the Booker T. Washington Business Association a few days after the incident, Young credited the police reforms he had inaugurated with the limited extent of the disturbance’s damage.<sup>88</sup> Cooperation between police and volunteers, Young said, had prevented a larger outbreak of violence and property destruction, without firing a single shot. As a result, “a new kind of trust and understanding between the people and the police” had emerged. “I’ve been critical of the Police Department in the past,” Young said to the businessmen gathered at Cobo Hall in downtown Detroit. “It is only fair to say tonight that I am proud of the Detroit Police Department.” Young also contrasted the Livernois disturbance with the 1967 rebellion, eight years earlier, in order to define the limits of legitimate protest. Arguing that the 1967 upheaval was directed chiefly

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<sup>87</sup> “The Livernois Five Are Free! ‘It Is Right To Rebel,’” *Torch / Antorcha*, July 15 to August 14, 1976.

<sup>88</sup> Jim Neubacher and Remer Tyson, “Young: ‘I Am Proud of the Police ... Not a Shot was Fired,’” *Detroit Free Press*, August 3, 1975.

against police, Young stated that thieves dominated the Livernois disturbance. “It was no insurrection. It was a rip-off,” Young said. “That’s the difference.”

In this way, Young obscured the violence the Livernois defendants suffered at the hands of the state, while claiming that he had created a viable and stable version of law and order that could govern Detroit in the future. In his eyes, the era of street action against racial injustice had come to a close. Black people now “had the ear of City Hall,” and a new age of Black politics had been inaugurated. In this new era, street protests against the lingering issues of central importance to poor, unemployed and young African Americans — such as ongoing racial injustice, unequal treatment by police even as departments were rapidly integrating, exorbitant unemployment, and an unwillingness to accept the low-paid service employment that was increasingly their only option in deindustrializing inner cities — were supposed to be obsolete, mediated by the new power and access available to African Americans. The case of the Livernois Five suggested the limitations of this new vision. In 1975, as some sections of the African American community came to occupy the halls of power, others remained painfully subject to that power in the streets, in the county jail, and in the courtrooms. When they resisted the epochal changes then taking place, prosecutors and judges sought to punish them fully, and former leaders had little sympathy for the unrest they called crime that destabilized the cities they sought to govern.

## Chapter Three. “We Own The City”: The Informal Economy, Informal Work Groups, and Redefining Citizenship in the City

What case-studies of [working-class childhood] might reveal is a radicalized vision of society, of class-consciousness not only as a structure of feeling that arises from the relationship of people to other people within particular modes of production, but which is also an understanding of the world that can be conveyed to children; what might be called (as well as all the other names it is given) a proper envy of those who possess what one has been denied. And by allowing this envy entry into political understanding, the proper struggles of people in a state of dispossession to gain their inheritance might be seen not as sordid and mindless greed for the things of the market place, but attempts to alter a world that has produced in them states of unfulfilled desire

- Carolyn Steedman, *Landscape for a Good Woman*

That's what the rebellion changed. People came back into those plants, they were different people. They shot so many bullets, we picked up those .50 caliber machine gun bullets, and drilled holes in them, put rawhide string on them, and used them as necklaces. So everybody wore a .50 caliber bullet around his neck and by that time, everybody's hair had grown out, them bushes, man. Them guys walked back into the plant, with their hair standing that high and .50 caliber bullets on their neck. It scared the foremen to death. No shit, man. It was different. There was a different crew of people coming back in there than there was when they left. And they weren't taking no shit long. That's the difference. The difference the rebellion made was visible. It wasn't theoretical. It was visible. People were different.

- General Baker, co-founder of the League of Revolutionary Black Workers

There is order in society because some people command and others obey, but in order to obey an order at least two things are required: You must understand the order and you must understand that you must obey it. And to do that, you must already be the equal of the person who is ordering you. It is this equality that gnaws away at any natural order.”

- Jacques Ranciere, *Disagreement*

Materialism “beats poverty every damn time.”

- Nikki Giovanni

Coleman Young made his inaugural speech in a moment of optimism. Nearly seven years after the nation's then most destructive civil disturbance, Young's election as the city's first African American mayor seemed to herald a social peace

unprecedented in Detroit in the twentieth century. At that inauguration, Henry Ford II, chairman of Ford Motor Company, spoke alongside Leonard Woodcock, president of the UAW. A later performance of "Reach Out and Touch (Somebody's Hand)," by Diana Ross, had a unifying effect on the assembled crowd. "Soon," a *New York Times* article reported, Ross "had the entire audience singing and clasping hands, white industrialist with ghetto dweller, holding intertwined fingers high." "For a brief moment, at least," the article concluded, "the spirit of racial unity seemed in full flower."<sup>1</sup>

But Young's election inaugurated not only a hope for social peace and a renaissance in the city's fortunes. It also inaugurated a new type of order. In that same speech, Young banished criminals, black and white, from the city's boundaries, telling people wearing "Superfly suits or blue uniforms with silver badges" to "hit the road." Crime had been one of Detroit's most well publicized issues for several years. A heroin epidemic was raging through the city's streets, with some estimates placing the city's number of addicts as high as 10,000. The city had recently been dubbed the nation's "Murder Capital," outstripping every other large city in the country in 1972 with 694 murders, one per every 2,518 citizens.<sup>2</sup> Its 1973 murder rate passed that mark. These murders were mostly committed by African American men in their twenties, against

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<sup>1</sup> William Stevens, "Coleman Young, Black Mayor of Detroit, Sounds Notes of Unity and Harmony at Inaugural Celebration," *New York Times*, January 6, 1974.

<sup>2</sup> William Stevens, "2 More Killings Horrify Detroit; Boys of 6 and 8 Kidnapped and Then Shot in Head," *New York Times*, December 9, 1973. The first reference to Detroit as "the Murder City" in the *New York Times* appears to be in Jerry Flint, "Detroit Reports Rise in Homicides; 126 Murders in 2 Months, Up From 86 Last Year," *New York Times*, March 7, 1971.

other African Americans who were not strangers. It was to these people, to a large extent, that Young spoke when he announced his new approach to policing.

But for Young and the coalition of business and labor that backed him, a new problem quickly emerged. That problem was characterized by the involvement of a younger generation in street crime, a generation that appeared, like the young people so active in the 1967 rebellion, beyond the grasp of the city's African American institutions. With the emergence of these younger people on center stage in Detroit, groups like New Detroit, Inc., sought once again to re-incorporate them into Detroit's body politic. They sponsored, for example, grassroots organizing efforts in some of the city's most impoverished areas, efforts that drew on the emblems of 1960s Black Power protests to appeal to young people alienated from the halls of power, and subject to that power in the streets.

Young people, however, had their own ideas about how to incorporate themselves into the city again following their estrangement from its public spaces and workplaces. The neighborhood groups that had arisen among black youth to combat, sometimes physically, the violence of integration in the 1940s and 1950s lived on into the 1960s and 1970s. As white people fled the city for the suburbs, these forms of organization among African American youth persisted. At times, their persistence provided protection from other gangs mostly, but not entirely, African American in the 1970s. At others the groups appealed to a desire for belonging among their adherents.

As young people got older, these gangs became a type of informal work group through which young people gained access not to the workplace or its struggles, but instead carved for themselves a space in the city's growing informal economy. In this way, alongside the city's flourishing informal drug economy, another set of practices arose. At times, those practices were directed toward the informal economy, especially as opportunities in the formal economy diminished. At others, those practices provided young people a sense of solidarity among themselves that the city, with its militarized public spaces, denied.

***“Whatever is behind you, leave it pass. Can’t you see what’s coming?”***

In 1974, David Hackney and his brothers Bobby and Dannis Hackney walked into United Sound Recording Studios in Detroit and recorded what may have been the world's first punk songs. David, the band's spiritual leader and chief songwriter, was 21 years old, Dannis was 19 and Bobby was 17 and still attending Southeastern High School. “We were just trying to be like the bands we liked back then,” Bobby Hackney told a reporter recently, including The Who, the Stooges, and the MC5. The Hackney brothers grew up on Detroit's mostly African American east side, though, and were, unlike the bands they wanted to emulate, black. “I knew those kids were great,” recalled Brian Spears, the director of publishing Groovesville Productions, the record label that first signed the group. “But trying to break a black group into rock ‘n’ roll was just tough during that time.” The brothers experienced similar tensions in their neighborhood.

Their mother allowed them to practice from 3 to 6 p.m. every day, and Dannis recalled that every day when the brothers plugged in, “we’d hear the neighbors’ doors slam. It was like, ‘OK, here they go again for three hours.’” Bobby recalled some hostility from their friends — being called the “black Hendrix” or “the Black Beatles” — but he also remembered exercising an influence on them. “I remember a friend of ours named Ernie coming over to the house one day just to show us that he had bought a Who album,” Bobby said. There was a tension that came with inhabiting the boundary between two racially stultified genres, but it was a generative one. “We were pretty aggressive about playing rock ‘n’ roll,” Bobby remembered, “because there were so many voices around us trying to get us to abandon it.” “If anybody would talk to us about playing something else,” he said, “David would want to kill them with just the chords.”<sup>3</sup>

The songs Death recorded at United Sound Studios, however, fell into obscurity, in large part due to the transgressive influence of groups like the Stooges and the MC5. Asked to change their name by a record executive, David Hackney, the eldest brother, balked. “He strongly believed that we could get a contract with another label,” his brother Bobby said. “We were young and cocky, but David was the cockiest of us all.” But another contract never materialized. Their obscurity in the intervening years meant that Death never had a chance to exercise an influence beyond its small circle of friends,

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<sup>3</sup> Bill Holdship, “Death Becomes Them,” *Detroit Metro Times*, September 23, 2009, <http://www.metrotimes.com/detroit/death-becomes-them/Content?oid=2195874> (accessed December 26, 2011); Mike Rubin, “This Band Was Punk Before Punk Was Punk,” *New York Times*, March 15, 2009, sec. Arts / Music, <http://www.nytimes.com/2009/03/15/arts/music/15rubi.html> (accessed December 26, 2011).

the handful of people who saw them perform live, and the few hundred people that bought the 7" single the band released from their original recording sessions.<sup>4</sup> That the band articulated what would come to be considered a "punk" sensibility suggests instead the influence of the local music scene and, perhaps even more so, the local social and political life of Detroit, as well as the nation. It also suggests the extent to which a similar sentiment percolated among African American youth in Detroit in the same period.

Death's lyrics suggest a disillusionment with conventional politics that resonated not only with the anti-establishment ethos of groups like the MC5 or the Stooges in the 1960s, but with a broad sentiment emerging at the start of the 1970s. This included the party-building movement that former members of Detroit's League of Revolutionary Black Workers were at the time embarking on, as were activists formerly involved with Students for a Democratic Society. The 1970s also saw social movements emerge in places that had seen little similar activity in decades. This included not only the feminist or gay liberation movements but also struggles for indigenous rights among Native Americans throughout North America, armed left-wing organizations like the Black Liberation Army, the Weather Underground and the George Jackson Brigade, a prison

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<sup>4</sup> The band's 7" single helped spur the rediscovery of Death, and its original recording sessions, and led to a documentary about the band, *A Band Called Death*, directed by Jeff Howlett and Mark Covino, DVD, Drafthouse Films, 2013.

abolitionist movement, and the early rumblings of an environmental movement.<sup>5</sup> The political movements that emerged at the time created themselves as subjects through their actions, challenging their confinement on reservations, or a patriarchal social order, or the function of prisons in the United States, or its capitalist economic system. Death's music attested to the emergence of a new subject in Detroit, one with little patience for "all the treasonous lying and the thoughtless dying" while the earth was "crumbling fast."

The song "Politicians in my Eyes" was perhaps the group's most pointed political statement. It portrayed a grim sense of alienation from the political establishment, and bristled with anger, grammatical construction notwithstanding: "They could care less about you / they could care less about me / as long as they are put in / the place that they want to be / Politicians in my eyes." The song declared it "sickening to see" the way politicians "lie on TV" and reflected on contemporary politics when it said "slick" politicians were "responsible for sending young men to die," presumably in Vietnam. Throughout the album, Death's discontent with the established order is evident. "Establishment don't want no part of us / except to make themselves a real quick buck," David Hackney sings on the song "Rock 'n' Roll Victim." And on "Where Do We Go From Here?" the song alludes to President Nixon's resignation:

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<sup>5</sup> Max Elbaum, *Revolution In The Air: Sixties Radicals Turn to Lenin, Mao and Che* (London: Verso, 2002); Dan Berger, *The Hidden 1970s: Histories of Radicalism* (New Brunswick, N.J.: Rutgers University Press, 2010); Daniel Burton-Rose, *Guerrilla USA: The George Jackson Brigade and the Anticapitalist Underground of the 1970s* (Berkeley: University of California Press, 2010).

“Have you heard the news lately / leaders stepping down greatly / shock has come to pass.” “Politicians in My Eyes” also reflected the discontent with conventional political solutions that the movements of the 1970s expressed when Death sang, “We have waited for so long for someone to come along / and correct our country’s wrong / but the wait’s been too long.” A song called, “Where Do We Go From Here?” connected that impatience to Death’s own brand of revolution: “You’ve made the world a circus / and you’re trying to curse us / cruelty knows no bounds / but we won’t let you beat us / no we won’t let you cheat us / because there’s only one time around.” Death was far from accepting the reality emerging in Detroit in the 1970s. After all, the band sang on “You’re a Prisoner:” “You try so hard because you wanna be free.”

Against the social arrangement it observed, Death arrayed an alternative vision for a different society rooted in the self-activity of the generation to which its members belonged. “The only world that ain’t dull is your own,” Death sang in the song, “Rock ‘n’ Roll Victim.” And it was that world to which the band was committed. If “Politicians In My Eyes” stands as the band’s screed against contemporary society, that sentiment was rooted in a vision of the future that posited the narrator of the song as a subject capable of far more than society envisioned for them. “Keep On Knocking” suggested the band’s optimistic vision for the future. At first glance, the song functions as a break-up song. It narrates an encounter between a jilted lover, the narrator, who refuses a former love’s entreaties. But in the context of the album’s political themes, the song

acquires an additional meaning. "If I can remember / it was you who didn't wanna see my face," the song begins. "I can remember / it was you who put me in my place." But the narrator rejects the place he has been assigned within the political order. "I'm sorry it had to end like this," the narrator sings, but he simply cannot accept the place he's been assigned. "I bet you're wondering how I got along without you / for your information, there's so many things I can do." And in the song, "Let the World Turn," Death projects its vision for a new society into the future: "If your dreams been shattered / pick up the glass / don't let your head keep running / whatever is behind you / leave it pass / can't you see what's coming?" With its unheard-yet-resonant catalogue of political anthems, Death gave voice to the disillusionment, the frustration, and the confidence that a generation of young people in Detroit felt.

### ***Frank Ditto and ESVID***

New Detroit, Incorporated, by no means knew the extent to which the sentiment Death expressed may have resonated among African American youth in Detroit. But it had the evidence of the 1967 disturbance close at hand when it funded efforts by Frank Ditto, a veteran of the civil rights movement, to organize on Detroit's impoverished and mostly African American east side. Ditto came to Detroit at the behest of a group called Churches on the East Side for Social Action (CESSA). CESSA was founded in Detroit in the summer of 1966 as a way to provide funding to support community organizing in

the neighborhoods it served.<sup>6</sup> CESSA sought out someone like Ditto to lead its community-organizing project precisely because it believed that organizations like the NAACP and the Urban League had grown distant from the issues poor and working class black people faced. An evaluation of the organization Ditto founded with CESSA's cooperation and funding, East Side Voice of Independent Detroit, or ESVID, from 1969 notes that CESSA, "was convinced that the very successes of organizations such as the NAACP and Urban League were real factors in causing a cleavage between these organizations and the masses of Black people. Acting on this conviction, Frank Ditto was called to Detroit to establish a grassroots organization."<sup>7</sup> Ditto grew up in Texas, where he began working cotton fields when he was thirteen. He joined the civil rights movement in 1961, after quitting a job driving a taxi. Since then, he had been arrested 18 times, and gained a measure of national notoriety when he accompanied Dick Gregory for 155 consecutive days of marching in 1964 and 1965.<sup>8</sup> All this set him apart from groups like the NAACP. CESSA hoped that Ditto — well respected, militant, a skilled organizer — could organize precisely that layer of people increasingly estranged from the NAACP and the Urban League.

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<sup>6</sup> Report on ESVID for New Detroit Committee, n.d. [ca. 1968-1969], Box 86, Folder 29, New Detroit, Inc. Collection Records, 1967-1975 (NDIC), Walter Reuther Library, Wayne State University, Detroit, MI.

<sup>7</sup> Community Research and Educational Development Organization (CREDO), "Evaluation of the East Side Voice of Independent Detroit," June 23, 1969, Box 86, Folder 29, NDIC.

<sup>8</sup> "Detroit's Ditto," *Time Magazine*, June 13, 1969.

<http://www.time.com/time/magazine/article/0,9171,942075,00.html> (accessed 23 March 2013).

Other significant power brokers in Detroit, in particular New Detroit, Inc., saw a similar potential in Ditto. New Detroit made a point of including young African American activists closely connected to local grassroots organizing in its initial membership roster.<sup>9</sup> When it incorporated a year after the riot, New Detroit was impressed enough with Ditto to provide ESVID with a \$50,000 grant and name him one of its trustees, thereby incorporating still another militant voice into its proceedings.<sup>10</sup>

Equally important to New Detroit, however, was that, Ditto's militancy and brash language aside, he could be counted on to remain within acceptable political limits. Though he operated "as a power mostly unto himself," New Detroit members assured themselves he was "an effective and skilled organizer."<sup>11</sup> A report evaluating the role ESVID might play in New Detroit's vision for Detroit as a basis for continued funding noted that a "major gain of ESVID" was that blacks on the east side had come to recognize ESVID as "a focal point for efforts at black self-direction and improvement." Moreover, the report noted approvingly, Ditto himself, while "highly aggressive and belligerent," still "preaches a non-violent approach."<sup>12</sup> Ditto's ability to appeal to a black community estranged from groups like the NAACP while also promoting projects within New Detroit's acceptable political limits made the continued existence of ESVID

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<sup>9</sup> Sidney Fine, *Violence in the Model City: The Cavanaugh Administration, Race Relations, and the Detroit Riot of 1967* (Ann Arbor: University of Michigan Press, 1989), 320-22.

<sup>10</sup> *Ibid.*, 380.

<sup>11</sup> Memo to AW Barr from Oliver O'Conner re: ESVID's analysis, May 12, 1970, Box 86, Folder 29, NDIC.

<sup>12</sup> Dick Richards, "Project Contact Report," October 17, 1969, Box 86, Folder 26, NDIC.

well worth continued funding, the report concluded. An examination of some of ESVID's most significant projects, as well as how its approach changed over time, suggests that ESVID and Ditto reliably lived up to New Detroit's expectations, though perhaps not those of the black community.

Using funding from CESSA and New Detroit, ESVID initiated a series of community-oriented projects that sought to evoke the style but not the substance of the recent Black Power movement in order to reinscribe the city's young people, so demonstrably estranged from the workings of city government and the police, back into the political order. One of its first was a Political Education Project (PEP) that sought to familiarize youth with the workings of city government. PEP was the "first junior government in the United States ... complete with a Junior City Hall and Junior City Officials."<sup>13</sup> Groups of high school students elected their peers to this "junior government" that would then discuss and debate among themselves the tangled intricacies of running city government.<sup>14</sup> PEP boasted regular participation of around sixty young people from the community, evenly divided between male and female.<sup>15</sup>

Somewhat more controversial was ESVID's initiation of a Community Patrol Corps (CPC). This program trained young people, mostly boys but some young women, to patrol the community and monitor instances of police brutality. This caused some

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<sup>13</sup> Report on ESVID for New Detroit Committee (ca. 1968-1969). See note 2 above.

<sup>14</sup> "Black Cadets Double In Service," *Detroit News*, February 7, 1969.

<sup>15</sup> See CREDO evaluation, above.

tension between ESVID and police at nearby precincts. But the CPC also contained its own policing function, accompanying women home from bus stops — a nod to patriarchal gender politics within ESVID — as well as performing surveillance in the neighborhood to protect small businesses from thefts.<sup>16</sup> CPC, then, had a dual character in relation to the black community, combining monitoring the community for police brutality with anti-crime functions. Under a white mayor, and under the rubric of community organizing that Ditto's participation legitimized, these two categories of victim — of police brutality and of street crime — remained distinct and important. With Coleman Young's election, their distinction collapses. Such an approach was not without its own inherent tensions, and these were evident within the CPC from the very start. In an article announcing its formation, the *Detroit Free Press* noted that it was introduced as "a watchdog on crime and alleged police brutality on the East Side."<sup>17</sup> The CPC, then, served as an early attempt to involve citizens in policing their own communities, presaging Coleman Young's own efforts to do so by several years.

New Detroit understood the advantages the CPC provided to the city's stability. Perhaps for this reason, Dick Richards, a New Detroit official, suggested that it might be possible for the city itself, rather than New Detroit, to fund ESVID.<sup>18</sup> The mechanism Richards suggested for this funding was the federal Omnibus Crime Bill passed in 1968.

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<sup>16</sup> Ibid.

<sup>17</sup> "Black Youth to Patrol East Side," *Detroit Free Press*, January 7, 1969.

<sup>18</sup> Memo to Aaron Lowery from Dick Richards regarding ESVID, [ca. October 1969], Box 86, Folder 27, NDIC.

According to Richards, this bill “will provide a multi-million dollar grant to Michigan in 1971,” much of which, “is designated for use in ‘crime-prevention’ through local governments, and may be used by private agencies as sub-contractors to the local governmental unit.” New Detroit demonstrated that it was well aware of the benefits, to governance, of combining apparent social services with policing functions. It understood ESVID as precisely the kind of sub-contractor the city of Detroit might allocate funding to through its share of the Omnibus Crime Bill. And yet it was not necessary that ESVID receive any kind of direct guidance or stipulation from New Detroit about incorporating anti-crime elements into its programs in order to note that this ambivalence toward crime within the black community had a long history.<sup>19</sup> Groups like the Black Panther Party were rather exceptional in their willingness not only not to condemn crime within the African American community but to embrace those young people who were often jobless and sometimes responsible for a good deal of that crime. Far more common was the response of groups like the NAACP and the Urban League. Inflected by an adherence to uplift ideology, these groups criticized racial bias within the criminal justice system while maintaining an uneasy relationship to those aspects of African American social life immersed in the informal economy. Historian Thomas Sugrue has noted a similar ambivalence in the approach that the NAACP and Urban League took to

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<sup>19</sup> See Muhammad, *Condemnation of Blackness* for a discussion of this history extending into the nineteenth century. For a discussion of the relationship between the African American community and policing, see Michael Javen Fortner, “The Carceral State and the Crucible of Black Politics: An Urban History of the Rockefeller Drug Laws,” *Studies in American Political Development* 27, no. 1 (April 2013): 14-35.

employment. He notes that while the language of racial discrimination “provided a powerful rallying cry for working- and middle-class African Americans in Detroit,” the language of race, “left unchallenged growing class divisions among black Detroiters.” This focus on race among reform groups, Sugrue suggests, “obscured the structural forces that profoundly limited the opportunities of the poor.”<sup>20</sup> With the growth of informal economies in the absence left by waged factory work, this ambivalence may have accounted for the distance between these groups and poor and working class African American youth drawn to those informal economies. CESSA sought to overcome this divide with the recruitment of Ditto and the creation of ESVID.

ESVID was, throughout its existence, caught between the funding New Detroit, Incorporated provided in the interest of social stability and the grassroots tradition it sought to embody. Often, the result was a mixed message. The CPC, for example, stylistically resembled the Black Panther Party’s well-known military apparel, with “all-black uniforms — from their berets to their combat boots.”<sup>21</sup> In the spring of 1970, again relying on New Detroit funding, ESVID organized a community cleanup project dubbed Project Pride that encompassed 5,000 homes within a 55-block area on the east side.<sup>22</sup> This project drew on the legacy of the civil rights movement in significant ways, and yet once again subtle alterations suggested important changes in approach. Project Pride

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<sup>20</sup> Sugrue, 176.

<sup>21</sup> “Black Youth to Patrol,” January 7, 1969.

<sup>22</sup> For a full report on the project, see “Project Pride report,” n.d., Box 86, Folder 28, NDIC. For NDI as funding source, see “New Detroit Inc. Request for Check,” June 28, 1971, Box 86, Folder 28, NDIC.

invites comparison with the Young Lords' own highly publicized and infamous trash cleanup in East Harlem.<sup>23</sup> And yet there, without funding from non-profit organizations, the point of the trash pick-up was to draw attention to the city's neglect of Puerto Rican neighborhoods. Moreover, rather than a simple beautification project, the Young Lords' cleanup concluded with young Puerto Rican activists piling garbage in the center of several intersections and setting it on fire. It is doubtful funding from New Detroit would have been forthcoming for a similar project. Project Pride's public relations trappings evinced this tension as well. Newspaper photos of "Project Pride" show groups of enthusiastic young people waving signs that read, "Pride." The signs themselves evoke the all-capital block letters of the well-known, "I AM A MAN" signs Memphis sanitation workers carried in their successful strike less than two years earlier.<sup>24</sup> Project Pride was enormously well received, and gained ESVID statewide recognition when it won the Community Achievement of the Year award in 1970.<sup>25</sup>

These close ties between New Detroit, Inc., and Ditto didn't last, however. Ditto resigned as a New Detroit trustee in December 1974, accusing the group of "vicious backstabbing, murderous madness, hypocrisy and corruption."<sup>26</sup> But questions had

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<sup>23</sup> Joseph Fried, "East Harlem Youths Explain Garbage-Dumping Demonstration," *New York Times*, August 19, 1969. <http://select.nytimes.com/gst/abstract.html?res=F60A17FF3F5D1A7B93CBA81783D85F4D8685F9> (accessed 29 March 2013). See also Miguel Melendez, *We Took the Streets: Fighting for Latino Rights with the Young Lords* (New York: St. Martin's Press, 2003).

<sup>24</sup> "Project Pride — 55-Block Party," *Detroit News*, May 24, 1970. See also the cover of Project Pride report in NDIC.

<sup>25</sup> Project Evaluation, May 20, 1971, Box 86, Folder 29, NDIC.

<sup>26</sup> Fine, 380.

begun to emerge about accounting irregularities and political advocacy long before.<sup>27</sup> Both of these issues were addressed in December 1972. At that time, as a condition of a future grant, New Detroit required ESVID to submit its finances to an independent audit. In addition, it barred ESVID from using any New Detroit money for its community newspaper, *The Ghetto Speaks*.<sup>28</sup> The latter condition stemmed from an incident in April 1972 when the paper endorsed Frank Ditto for a vacancy on Detroit's City Council.<sup>29</sup> Doing so violated New Detroit's non-profit status, and this was the main impetus behind restricting funding of *The Ghetto Speaks* and deciding to conduct an audit of ESVID's books, during the course of which auditors ran into numerous irregularities, and faced Ditto's own intransigence as they did not receive "a good reception" at ESVID offices while attempting to audit its books.<sup>30</sup>

In spite of the acrimony surrounding the end of the financial relationship between Ditto and New Detroit, that relationship had always been a calculated risk on the part of New Detroit. The group was aware early on of Ditto's militant public rhetoric. They also were aware of his reputation within the black community as "a prima donna whose efforts are more determined by his own ambitions and desires than by

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<sup>27</sup> "Memo to Lawrence Doss and Walter Douglas from Theodore Lawe re: Audit of ESVID's Books," November 30, 1973, Box 168, Folder 24, NDIC.

<sup>28</sup> "Letter to Frank Ditto from Lawrence Doss," January 22, 1973, Box 224, Folder 18, NDIC.

<sup>29</sup> Memo to New Detroit Inc., from Thomas Sherman of Dykema, Gossett, Spencer, Goodnow and Trigg law firm, October 27, 1972, Box 168, Folder 24, NDIC.

<sup>30</sup> Memo to Doss and Douglas from Theodore Lawe, November 30, 1973.

responsiveness to the blacks on the east side.”<sup>31</sup> They also knew him as “an effective and skilled organizer ... operating as a power mostly unto himself.”<sup>32</sup> Ultimately, New Detroit was willing to accept the above for the gains they believed Ditto delivered to the city as a whole. In a 1969 report on ESVID, one observer captured Ditto’s appeal: “[Ditto is] firm in his belief that true social reform can be brought about only through political, social and economical action and not by Molotov cocktails.”<sup>33</sup>

ESVID sought in the early 1970s to capitalize on the style and appearance of the Black Power movement in order to bridge the gap that had emerged between organizations like the NAACP and the increasingly frustrated and alienated African American youth that New Detroit and other organizations believed were responsible for the urban upheavals of the late 1960s. But these efforts were undermined from the start, caught between the non-profit funding that sought social stability and the unpredictable grassroots movements ESVID sought to emulate. As a result, organizations like ESVID failed to replicate themselves with young people committed to continuing their projects. Over time, ESVID transformed into a service organization, connecting the black community with social service programs in the area and largely abandoning its more

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<sup>31</sup> Memo to Robert Spencer from Dick Richards re: Andy Barr comments on ESVID, October 6, 1969, Box 86, Folder 27, NDIC.

<sup>32</sup> Memo to AW Barr from Oliver O’Conner re: ESVID’s analysis, May 12, 1970, Box 86, Folder 29, NDIC.

<sup>33</sup> Report on ESVID for New Detroit Committee (ca. 1968-1969). See note 2 above.

politically oriented projects.<sup>34</sup> Ultimately, ESVID itself became a non-profit organization, finding this a more effective way to continue its operations.<sup>35</sup> The sought-for synthesis between this generation of young people and acceptable political and social organizations remained as difficult to grasp as a wisp of smoke on a hot July day.

### ***The Order of the City: Policing Precarity***

During the Great Migration, Detroit's Black Bottom district, a collection of neighborhoods on the lower east side that served as the city's traditional way station for ethnic transplants, transformed into a thriving African American community with its own professional class, social institutions, and even an entertainment district known as Paradise Valley. It was this vibrant enclave that Albert Cobo targeted for so-called "urban renewal" in the 1950s. The effort became another grievance alongside many that Detroit's African American community harbored against the city's racially biased administration, at the time dominated by a conservative political elite. Cobo's renewal efforts gutted the district's main artery, Hastings Street, and replaced it with what would become the Chrysler Freeway. The process tamed the teeming social life of the Black Bottom district, and similar renewal efforts across the city had a similar effect. In

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<sup>34</sup> In a December 1973 proposal to New Detroit, ESVID expands the scope of its original "7-PLUS" program to include referral programs for community residents linking them to social service, housing services, family health counseling, consumer education programs, and job counseling and placement services. Proposal by ESVID to New Detroit Inc., December 1973, Box 168, Folder 24, NDIC.

<sup>35</sup> Funding Proposal Analysis, February 7, 1974, Box 168, Folder 24, NDIC. Handwritten note accompanying this analysis: "In January 1974 ESVID had a fire which totally destroyed its administrative offices. The National Bank of Detroit has donated one of its buildings to ESVID. ESVID is in the process of obtaining its 501-C3 tax exempt status which will satisfy the requirement of the National Bank of Detroit."

the postwar period, a latticework of freeways came to dominate the lower east side African American ghetto, dispersing its inhabitants throughout the city.<sup>36</sup> Perhaps the most ambitious of these efforts was the modernist collection of Ludwig Mies van der Rohe designed townhouses and high-rise apartments set amidst a manicured public space on the lower east side, which replaced a large swath of the formerly bustling black ghetto.<sup>37</sup> These renewal efforts had numerous advantages from a city planner's perspective. Not only did they allow for a more refined distribution of government services, they also aimed at the prevention of rebellion. While van der Rohe was himself persecuted by the Nazi regime in the 1930s, he and other founders of modern architecture such as Frank Lloyd Wright and Le Corbusier saw their designs implemented in the postwar period in a way that did great violence to the societies in which they intervened. This violence was related to the violence of maps and, indeed, the violence of policing. Maps created abstraction from a social world they could not possibly represent in full and policing imposed order on a social system it could not

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<sup>36</sup> The effect was to make more legible a part of the city its government couldn't properly "read." Anthropologist James Scott defines legibility in the context of efforts by states to enforce a sedentary lifestyle on mobile people, and sees continuity from premodern societies, to early modern European statecraft, up to the modern day. He defines legibility as attempts "to arrange the population in ways that simplified the classic state functions of taxation, conscription, and prevention of rebellion." For discussion of legibility in urban spaces, see James Scott, *Seeing Like a State* (New Haven: Yale University Press, 1998), 2-3.

<sup>37</sup> Van der Rohe was a director of the Bauhaus architectural school in Germany that was persecuted by the Nazi regime. Together with Frank Lloyd Wright and Le Corbusier, van der Rohe and the Bauhaus movement are considered the founders of modern architecture. Le Corbusier receives detailed analysis in Scott's *Seeing Like a State*.

fully understand or see.<sup>38</sup> For city planners in Detroit, the manicured parks, the orderly rows of townhouses represented an improvement over the ramshackle and at times improvised tenements of the lower east side and its unpredictable alleyways, the living city that simmered within it.

ESVID functioned in a similar way. To its benefactors, Ditto's group channeled young people with no place in the city and no future in its vanishing workplaces away from the destruction of the 1967 rebellion and its Molotov cocktails and toward mock government, community policing, and beautification projects in areas dilapidated through official neglect. African American youth may have shared with Ditto some of the concerns ESVID sought to address. But, given his reputation on the lower east side as a "prima donna" who operated "as a power mostly unto himself," Ditto may have been difficult to distinguish from the politicians Death decried as "timeless children" full of "predictions and flashbacks" who were simply "trying to get ahead." To these people, the band offered a reversal of the order they sought to impose: "What makes you think I believe you? What makes you think I can see you?" While ESVID organized Project Pride, the attention of teenagers on the east side was far more occupied with the bleak economic outlook they faced and the actions of their white neighbors in their schools and neighborhoods.

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<sup>38</sup> Scott, 87: "All the state simplifications that we have examined have the character of maps. That is, they are designed to summarize precisely those aspects of a complex world that are of immediate interest to mapmakers and to ignore the rest."

The year 1970 stands as a turning point in the economic history of Detroit and, by extension, the world. If labor historian Marcel van der Linden is correct that it was only with the advent of industrial unionism in the 1930s that a “standard employment relationship” was created — characterized by continuous, stable employment; a full-time position with one employer at that employer’s place of business; an income capable of supporting a small family without falling into poverty; legal rights to protection, participation and even codetermination at the workplace; and social insurance benefits generally tied to length of employment — then it was in Detroit that it was destroyed first.<sup>39</sup> The region’s auto companies felt the “shock of the global” at the beginning of the 1970s, as they encountered international manufacturing competition from the revitalized economies of Germany and Japan and the epochal energy crisis in 1973. The year 1970 was also the year that marked a downturn in employment prospects for African American men in the region from which they have never recovered. While African American employment never reached parity with that of whites, the years from 1940 to 1970 saw significant improvements. In 1950, among adults ages twenty-five to sixty-four, 84 percent of black men were employed, compared to 92 percent of white men.<sup>40</sup> This was the closest to parity the two populations reached. Since 1970, the proportion of

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<sup>39</sup> Marcel van der Linden, “San Precario: A New Inspiration for Labor Historians,” *Labor* 11, no. 1 (March 20, 2014): 9–21.

<sup>40</sup> Reynolds Farley, Sheldon Danziger, and Harry J. Holzer, *Detroit Divided* (New York: Russell Sage Foundation, 2000), 71-76.

African American men in Detroit employed at any given time has never reached higher than 65 percent.

While African American men continued to be employed at a higher rate than African American women, the latter experienced a notable improvement in their employment in the postwar period. In 1940, African American women making enough to support a family of four were virtually nonexistent as a category in Detroit. This was the zenith of African American men's earning power vis a vis white men in the metropolitan region, after which it declined sharply. But the opposite was the case for African American women. They became more educated than black men and entered growing industrial sectors in the 1980s and 1990s, including financial services, insurance, medical and legal fields, and lower and middle management. By 1970, African American women's median annual earnings had surpassed those of white women, and by 1990, black women were making approximately 15 percent more per hour than white women. From a virtual standstill in the Detroit metropolitan economy in the 1940s, 40 percent of African American women were able to support a family of four in 1990, compared to around 50 percent of black men, a 25 percent decline from its peak in 1970.<sup>41</sup>

These developments were joined by less temporally proximate causes, chief among them the automation of production processes and the relocation of the city's

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<sup>41</sup> Farley, 90-96.

manufacturing facilities from the city center to the suburbs and points south.<sup>42</sup> The 1970s were the moment when the economic relocation begun shortly after World War II in response to national security fears, the desire to escape unionization among employers, and Republican coalition building efforts outside the northeast and Midwest, began to have its social and political effects. Chief among them in Detroit was an overall decrease in the number of blue-collar jobs, and a transfer of those that remained to the suburbs. This transfer broke up massive factories by outsourcing parts production, often the most highly skilled processes, with arguably the factory's most militant and organized workers.<sup>43</sup>

Automation took its toll from the region's unskilled workforce after 1970 as well. From 1950 to 1970, unskilled manufacturing employment, as machine operators or laborers, declined by nearly 40,000 positions. Just 22 percent of these employees had high school diplomas, but they earned a stable income in the city's factories. Moreover, African American men had increased their share of these positions, from 39,000 in 1950 to 53,000 in 1970. After 1970, however, the decline in blue-collar employment in metro Detroit was precipitous. From 214,000 blue collar jobs in 1950, and a respectable 178,000

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<sup>42</sup> Sugrue, 130-38; Bruce J. Schulman, *From Cotton Belt to Sunbelt: Federal Policy, Economic Development, and the Transformation of the South 1938—1980* (Duke University Press, 1994).

<sup>43</sup> For an analysis of militancy tied to skilled positions, and the fragmentation of automobile factories in response, see James Zetka, *Militancy, Market Dynamics, and Workplace Authority: The Struggle Over Labor Process Outcomes in the U.S. Automobile Industry, 1946 to 1973* (Albany, NY: State University of New York Press, 1995), 55-58 and *passim*.

in 1970, that number had dwindled to 104,000 by 1990, and African Americans held just 22,000 of those jobs, well below even the number they held in 1950.

The 1970s also saw the rise of the financial sector of the U.S. economy, with important consequences for Detroit. While the number of blue-collar jobs in the region declined, overall employment more than doubled in the period from 1940 to 1990.<sup>44</sup> But the benefits accrued to relatively skilled workers. The demand for professionals and managers had doubled since 1940, while the need for unskilled labor plummeted.<sup>45</sup> This reflected the financialization that the U.S. economy had undergone since 1970. General Motors, for example, created a financial unit — the General Motors Acceptance Corporation, or GMAC — in order to facilitate consumer purchasers of its manufacturing products.<sup>46</sup> The practice was a popular trend in the 1970s, and numerous firms like GM that initially specialized in manufacturing durable goods created their own financial units at this time. Some, like General Electric, saw those financial units overtake the profitability of the manufacturing or retailing that defined the firm's identity. While auto companies headquartered in Detroit sent blue collar manufacturing jobs across the globe in search of lower production costs, the financialization of those companies may have contributed to the re-distribution of job categories in Detroit. From

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<sup>44</sup> Farley, 55.

<sup>45</sup> *Ibid.*, 9

<sup>46</sup> Greta Krippner, *Capitalizing on Crisis: The Political Origins of the Rise of Finance* (Cambridge: Harvard University Press, 2011), 27-57. Danny Hakim, "Detroit Profits Most from Loans, Not Cars," *New York Times*, July 22, 2004.

1950 to 1970, the number of automobile manufacturing jobs in metropolitan Detroit declined by a percentage point, while employment in the finance, insurance, and real estate sector doubled. Between 1970 and 1990, automobile manufacturing declined by 27 percent in the metro Detroit region, and other manufacturing also saw a nine percent decrease. Finance, insurance, and real estate saw another 67 percent increase in this period.<sup>47</sup>

Financialization, automation, decentralization, and the frequent shocks of a global economy contributed to the emergence in the 1970s of the interrelated phenomena of precarious work and informal economies. The category of precarious work grew from the husk of the standard employment relationship Detroit contributed so much to creating in the United States in the twentieth century. In place of continuous, stable employment and full time positions granting union rights and wages, and access to social insurance, Detroit witnessed the rise of temporary, casual and part-time labor, in gas stations, car washes, or fast food restaurants — an informal economy to replace the formal one that had fled across the city's borders. This coincided with a dramatic increase in unemployment. The number of adult black men who reported not working at all in the previous year increased from four percent in 1949 to 28 percent in 1989.<sup>48</sup> Meanwhile, the percentage of African American men aged 18 to 24 not enrolled in

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<sup>47</sup> Farley, 60.

<sup>48</sup> Farley, 54.

school or in the labor force also increased dramatically in this period, from just over four percent in 1940 to nearly 18 percent in 1990.

The site ESVID chose for its Project Pride was at the center of these changes on the east side, the city's former industrial heartland. The high school the Hackney brothers attended, Southeastern High School, straddled Fairview Street, the eastern border of the area ESVID targeted for its Project Pride cleanup project. It was also a neighborhood marked by the social instability that racial tension produced. Not far from Project Pride neighborhood was the home that African American physician Ossian Sweet purchased in 1925, becoming the first African American in the neighborhood. Soon after, Sweet and a group of friends were forced to defend the home from an unruly white mob, and were tried, and eventually acquitted, when a shot from the home killed a white participant in the mob. These tensions again broke into the open during World War II, when a race riot instigated by whites coursed through the city. Less than five years later, the Supreme Court's *Shelley v. Kraemer* ruling again exacerbated these tensions. That ruling outlawed racial covenants in real estate, a practice that had maintained racially segregated neighborhoods in northern cities. The decision effectively dismantled northern black ghettos. City planners in the 1950s then targeted these areas for renewal, as Cobo had in Detroit. These interrelated processes combined to disperse

the city's African American residents across the city in the years that followed.<sup>49</sup> On the west side, upwardly mobile African American families settled in the Russell Woods neighborhood, or around Twelfth Street, on the near northwest side.<sup>50</sup> The west side experienced a rapid racial succession in the 1950s and 1960s. These transitions went relatively smoothly on the near northwest side, in part because the area was comprised of wealthier residents who rented apartments, which obviated their attachment to a particular residence and made their flight to the suburbs easier. The same was not true elsewhere on the west side, nor was it true of the east side neighborhoods that ESVID targeted for its activity. In these neighborhoods, entrenched white homeowners, tied through property ownership and religious affiliations to well-defined parish boundaries, fought to maintain segregated neighborhoods through judicial as well as extra-legal means.<sup>51</sup> Detroit teenagers in the 1960s and 1970s learned to navigate a social landscape riven with racial tension.

Throughout the 1960s, racial conflagrations sparked in schools across the city. A *Detroit Free Press* editorial in 1962 set a provocative tone when it attempted to link school unrest to the invented notion of "scuffling," defined as having no place in life, dropping

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<sup>49</sup> Fine, 3-4 and Thomas Sugrue, *Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton: Princeton University Press, 1996), 181-207.

<sup>50</sup> Sugrue, 181-207; Farley, 153; Albert Mayer, "Russell Woods: Change Without Conflict: A Case Study of Neighborhood Transition in Detroit," in Nathan Glazer and Davis McEntire, eds., *Studies in Housing and Minority Groups* (Berkeley: University of California Press, 1960).

<sup>51</sup> Sugrue, 234-58.

out of high school or graduating and being unemployed.<sup>52</sup> In the editorial, “scuffling” was held directly responsible for school shakedowns, and black youth were seen as overwhelmingly, demographically, “scufflers.” The editorial cited a study by the Higher Educational Opportunity Committee, a local Detroit group, which surveyed the top 20 percent of graduating seniors at Central High School in 1962, which was 97 percent non-white at that time.<sup>53</sup> Of these seniors, the study found 15 in college, 12 with jobs, and 40 idle or “scuffling.” Among the lower 80 percent, the study noted that unemployment and hence “scuffling” was still worse. Including the unsurveyed lower 80 percent of the school’s graduating seniors allowed the editorial to claim that an estimated 20,000 to 35,000 “scuffling” Black teenagers were living in Detroit. In the midst of regular disturbances at city schools in the 1960s, editorials like this one created a specter of unemployed Black youth “scuffling” through the city. The next year, Durfee Junior High School was the site of a dispute between students involving what Principal Edith Edwards called “girl trouble.”<sup>54</sup> Given the centrality of notions of masculinity in disputes between fighting gangs, the cause is extremely suggestive.<sup>55</sup> Race was more

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<sup>52</sup> “Solution for ‘Scufflers’” *Detroit Free Press*, February 8, 1964.

<sup>53</sup> Central High School was 97% non-white in February 1962 and almost 100% non-white by the 1964-1965 school year. “A Profile of the Detroit Negro, 1959-1967,” December 1967, Folder “Research Reports; 1967 Reports; Profile of the Detroit Negro (1959-1967),” Box 65, Detroit Urban League Records (DULR), Bentley Historical Library, Ann Arbor, MI.

<sup>54</sup> “Sift New Beating, Call Extortion Sporadic,” *Detroit News*, June 2, 1964.

<sup>55</sup> See Andrew Diamond, *Mean Streets: Chicago Youths and the Everyday Struggle for Empowerment in the Multiracial City, 1908-1969* (Berkeley: University of California Press, 2009), 196-97; Mike Davis, *City of Quartz: Excavating the Future in Los Angeles*, New ed. (London; New York: Verso, 2006), 293-300; Eric

overtly involved in another “rumble” between teenagers, this time on the city’s east side, in another area experiencing rapid racial transition. In this instance, James Effinger, a black teenager, was stabbed and critically injured in a conflict between boys attending competing junior high schools. This incident, too, had “dollies” at its heart, according to Charles Doan, an administrator at the A.L. Holmes School.<sup>56</sup> Taken together, the *Free Press* editorial served to characterize ongoing racial tension at municipal schools, much of it a byproduct of white intransigence toward integration, as a problem of mostly African American “scuffling” or idleness.

The decision by the Michigan Legislature in 1969 to reorganize Detroit schools exacerbated these tensions.<sup>57</sup> The plan, which entailed regional control while retaining some aspects of centralized government, unleashed heated contestations in the schools and neighborhoods. Militant African American groups such as the League of Revolutionary Black Workers, the Republic of New Africa, and black nationalists like Rev. Albert Cleage of the Shrine of the Black Madonna Church, sought increased power and influence over schools throughout the city. White homeowners and neighborhood associations did likewise, while far right groups such as Donald Lobsinger’s

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Schneider, *Vampires, Dragons, and Egyptian Kings: Youth Gangs in Postwar New York* (Princeton: Princeton University Press, 1999).

<sup>56</sup> “Wild Teen Rumble Bloodies Our Streets,” *Detroit Free Press*, May 23, 1964.

<sup>57</sup> For a detailed accounting of these tensions and their relation to plans to reorganize the city’s schools, see Jeffrey Mirel, *The Rise and Fall of an Urban School System: Detroit, 1907-81* (Ann Arbor: University of Michigan Press, 1993), 326-45.

Breakthrough and even Detroit branches of the Ku Klux Klan also involved themselves in these battles. Young people were not immune to these contestations. In fact, many were active participants in them. The Black Student United Front, for example, claimed to have branches in dozens of local schools. It also had a close working relationship to the League and its social institutions.

But young people, black and white, were also organizing themselves independently of formal political groupings in the city. Throughout the two years during which the school system's reorganization was debated, conflicts between black and white students flared up again and again. One example occurred in April 1970. It began with a march organized by white youth from two local high schools, Osborn and Denby, on the city's northeast side. When black students joined the protest in front of Osborn, thinking it was a protest against the Board of Education's redistricting plan, the white students chased them off. Black students later complained that white police officers did little to prevent the attacks. In the aftermath, one black student angrily declared, "I learned to cuss in two days. I get so prejudiced when I see somebody white, now, that I feel like chewing them up."<sup>58</sup> In response, black students from Osborn marched to nearby Pershing High School, with a far greater African American population than Osborn, and tried to recruit students there for a retaliatory attack on

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<sup>58</sup> Nadine Brown, "Blacks Urge Action On Osborn Violence," *Michigan Chronicle*, April 18, 1970.

Denby whites.<sup>59</sup> In *City of Quartz*, Mike Davis suggests “the first generation of Black street gangs emerged as a defensive response to white violence in the schools and streets during the late 1940s.<sup>60</sup>” Urban historian Andrew Diamond uncovered similar dynamics in Chicago gang violence in the 1950s and 1960s.<sup>61</sup> James Effinger, stabbed by white youth in a dispute over “dollies,” lived on Bessemer Street, not far from where Frank Ditto organized Project Pride. But Effinger’s east side neighborhood, wracked by racial violence, targeted for a form of racial uplift by Ditto and his funders, was also important for another reason. It was out of this area that the “first notorious youth gang[s] in the city” emerged, the Bishops and the Chains.<sup>62</sup>

The Bishops and Chains got their start dividing up territory on the east side.<sup>63</sup> Within a few short years, however, the Bishops and Chains had come and gone, undermined by internal instability and numerous police crackdowns — one homicide detective claimed 10 members of the Bishops were in prison in 1977 — as well as attempts by New Detroit, Incorporated, to move them toward participation in the formal economy through targeted funding efforts. One such effort sent several dozen former gang members to Chicago to learn how to go straight from other former gang

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<sup>59</sup> Ibid., as well as “Temper Tantrums Taper At Osborn” and “Pershing Moves to Cool Rising Tension,” both in *Michigan Chronicle*, April 18, 1970.

<sup>60</sup> Davis, 293.

<sup>61</sup> Diamond, 189-92.

<sup>62</sup> “Former Detroit Gang Leader Convicted of First Degree Murder,” *Ludington Daily News*, July 14, 1977. <http://news.google.com/newspapers?id=2o1aAAAIBAJ&sjid=KUoDAAAIBAJ&pg=1869%2C1204981> (accessed March 27, 2013).

<sup>63</sup> “Former Detroit Gang Leader Convicted.”

members.<sup>64</sup> With the Bishops and Chains gone, five different gangs laid claim to the area that once made up “Project Pride.”<sup>65</sup> These gangs were smaller, more decentralized, and increasingly focused their activities on informal economic pursuits, as opposed to turf battles. They also learned to exploit loopholes in the criminal justice system that punished juveniles less harshly than adults for similar offenses.<sup>66</sup> The emergence of a set of smaller gangs, by no means confined to the city’s east side, elicited a harsh response from Coleman Young’s reconstructed police department. But it was not only during sensational and well-publicized incidents that African American youth encountered the police. For many, the police regularly interceded in their lives.

Charles Rudolph well understood what Detroit was becoming in the 1970s. He worked in the city’s formal and informal economies, and experienced the policing that partitioned those economies firsthand.<sup>67</sup> Born in Wetumpka, Alabama, in 1944, Rudolph grew up in the Black Bottom neighborhood, and remembered playing in the “slant, soft dirt” that remained when the Chrysler Freeway trench was excavated. Rudolph moved to Detroit in the mid-1950s when he was around eleven years old, and lived with his older sister, who worked as a domestic, while he attended school. His primary school, he recalled, was all black. There, Rudolph served on the safety patrol, the responsibility

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<sup>64</sup> Gerald Storch, “Battling Juvenile Crime; The gang structure - smaller, more violent,” *Detroit News*, November 18, 1975; “Former Detroit Gang Leader Convicted.”

<sup>65</sup> Gerald Storch, “The Gang Structure - Smaller, More Violent,” *Detroit News*, November 18, 1975.

<sup>66</sup> Don Tschirhart, “Secret Gang Report Bared,” *Detroit News*, August 18, 1976.

<sup>67</sup> Charles Rudolph, interview by author, Detroit, MI, November 1, 2014.

of which made a deep impression on him. "They have adults doing that now," he said, "but children used to follow us and mind us." He remembered that his classmates "followed my directions explicitly." The experience as a safety patrol member contrasted sharply with Rudolph's experience of the rest of the city. When he arrived, urban renewal projects had begun to destroy the vibrant black neighborhood that comprised what was known as the "black ghetto," but the process was by no means complete, and well-defined geographical boundaries remained. "For one thing," he said when describing his perceived sense of those boundaries, "black people didn't go across Woodward too much." Those boundaries were perceived as well as policed. "I remember black people didn't go in there," Rudolph said of a restaurant on Woodward. "It was just like a given; you know that. They didn't go there." What black people did not know, they were told. As a child, Rudolph recalled being taught these boundaries by encounters with police. "We used to just go everywhere, exploring the city. Walking in a group, two, three, four guys, you know. ... And the police used to see us and, you know, 'Where's your I.D.? What's your name?' " Rudolph described these encounters as "a minor irritation," something he accepted. But as he grew up, "and knew about the world," he drew comparisons. "That was something like South Africa," he said. "You had to show your I.D. And this is the city I live on [*sic*], and I wasn't doing anything." When asked if he thought that "mild harassment" was a common experience, Rudolph gave an understated response: "Well, it didn't happen every block." Rudolph

encountered a similar form of policing in his youth involving prostitution. As a child, he remembered prostitutes paying him to accompany them down the street. "Just a woman walking down the street by herself, if she was supposed to be a known prostitute," the police, "could roust her." Rudolph said, "It's almost as if the police wouldn't do nothing illegal if another pair of eyes or ears is present." The anecdote illustrates the way Detroit residents participating in the city's informal economy navigated the partition between formal and informal economies that policing imposed. Similar experiences awaited Rudolph when he was old enough to drive. "I used to be driving down the street, not speeding, not doing anything," when the police would, "pull you over and give you a ticket for nothing." It was not an uncommon experience for black Detroiters. "When you go to pay the ticket," Rudolph recalled, "the whole line down there be all black people, the cash register overflowing. And it can't be that many bad drivers ... that's a form of corruption."

While his encounters with police taught Rudolph where the city's racial boundaries were, Rudolph's experience attending an integrated high school taught him the material boundaries that racial difference created between him and his classmates. Rudolph "didn't go to a mixed school" until he attended Northeastern High School and he remembered no specific racial tensions between himself and his white classmates. What he did recall was a sense of material lack. "Some of the kids at Northeastern went to Europe on their summer vacation," Rudolph recalled. "And I figured I went nowhere

traveling to the South, and all I knew was, Europe was far, far away. That's what put the idea of traveling into me later in life." Rudolph's desire, his *envy*, for what his classmates enjoyed was so powerful that it led him to join the Army, just as the United States was getting involved in Vietnam. "Because the other kids had went to Europe on their summer vacation and all I went to was Alabama," he said, "I joined the Army. Just to see the world. That was my desire."

Historian Carolyn Steedman might say Rudolph possessed "a proper envy of those who possess what one has been denied."<sup>68</sup> In *Landscape for a Good Woman*, Steedman argues that "by allowing this envy entry into political understanding, the proper struggles of people in a state of dispossession to gain their inheritance might be seen not as sordid and mindless greed for the things of the market, but attempts to alter a world that has produced in them states of unfulfilled desire." And the philosopher Theodor Adorno, criticizing sociologist Thorsten Veblen's dismissal of the aspirational imitation Gothic architecture of the *nouveaux riche*, "claimed that the ostentations of luxury still offered the promise of a sharable happiness even to their worst-off spectators."<sup>69</sup> Rudolph wanted what anyone else in the United States might have, and soon enough he witnessed how arbitrary was the distribution of society's goods and the justification that sustained it.

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<sup>68</sup> Steedman, 123.

<sup>69</sup> Paraphrased in Jacques Ranciere, *The Philosopher and His Poor* (Durham: Duke University Press, 2003), 216.

After a three-year stint in the Army, Rudolph returned to Detroit on the cusp of the 1967 rebellion, and he participated in it. "I was out there looting like the other people," he said. But "rebellion" does not convey another feeling that Rudolph said permeated the city's streets: belonging. "You seen people walking down the street with TVs and stuff," Rudolph said. "I wasn't thinking in that bent." In an attempt to convey the meaning of his own participation, Rudolph said, "It's almost just to get something, to be part of it." Rarely, it seems, had Rudolph felt a part of the city. He also noted the materialism that motivated people's participation in the riot. "It was basically a free-for-all." Rudolph belonged to a generation that glimpsed the contingency, the arbitrariness, the fungibility of the social order that determined how resources were distributed.<sup>70</sup> He was well acquainted with the policing practices that assigned him a particular place within that order. Those practices partitioned the city into particular spaces. In some, Rudolph stood out, and was subject to arrest, in others, his presence obscured the vision of police, transforming prostitutes into legitimate pedestrians. He did not belong to the city before 1967. That same year, the riot ruptured that order, combining a sense of belonging with a redistribution of wealth. In coming years, Rudolph would continue to unsettle the place ascribed to him.

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<sup>70</sup> Jacques Ranciere describes the arbitrary nature of any social order with reference to Plato's discussion of the three metals in ancient Athens. Those metals determined one's social position — gold for philosophers, silver for warriors and legislators, bronze for producers.

## ***Incorporating Informal Work Groups in the Informal Economy***

Charles Rudolph and the generations of young people that succeeded him experienced firsthand the police attempts to assign them a position within the developing partition between formal and informal economies in the city of Detroit. But they didn't allow those efforts to define them. Their participation in the city's informal economies challenged the position they had been assigned. They refused to be black and poor. Rudolph drew inspiration from his time in Vietnam, which he recalled as a liberating one. "I actually enjoyed it over there," Rudolph said. "The people was very friendly and nice. I really liked it." Rudolph spoke enthusiastically about his experience in Vietnam to his friends. "It's a world out there, man," he told Eddie Jackson, a childhood friend. "You go to a bar there," he said, "and it doesn't matter if you're American or if you're Oriental." This was a notable difference from Detroit's strictly delineated racial geography. "Eddie wanted to see this, too," Rudolph remembered. "But like I said, we was poor guys, didn't have the resources to travel." And Jackson wasn't going to join the Army. Instead, Rudolph remembered, Eddie Jackson "got into the drug business." Rudolph eventually joined him, after working in a factory for several years. Together, they created a well-known drug organization in Detroit. Although they were eventually caught and served substantial prison sentences,

members of the group used their resources to challenge the city's racial geography, purchasing lavish suburban homes and embarking on regular overseas travels.<sup>71</sup>

Charles Rudolph, Eddie Jackson, and others embraced the informal economy as a means to transcend the place to which they had been consigned in the developing economic landscape of Detroit in the 1970s. They were working class people and they were black. Rudolph had been a factory worker. Eddie Jackson drove a cab, and Courtney Brown, another important member of their organization, was a bus driver. Their success in the drug trade enabled them to achieve the trappings of middle class status without the professional title, the managerial status in the hierarchy of social relations, or the cultural expressions of the middle class. They destabilized the police order by refusing the traditional route to middle class status, a route that for black people was in any case marked by contingency. It was this contingency that adherents to uplift ideology neglected when they insisted on the potential to overcome racism through middle class aspirations, both cultural and economic.<sup>72</sup> By short-circuiting the intended path that uplift reformers advocated, participants in the city's informal drug economy also undermined the class distinctions in the black community so important to the intellectual edifice of the politics of respectability. As the police sought to force on

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<sup>71</sup> The travel experiences of Courtney Brown, another of Jackson's partners in his drug business, and his family are described in by his son in Courtney R. Brown, Jr., *The Rise and Fall of an Urban Empire* (Franklin, MI: Big Boss Filmworks, 2010), 163.

<sup>72</sup> For a discussion of how reformers' emphasis on race ignored pertinent class distinctions in the black community, see Sugrue, 176.

Rudolph and others the new economic reality descending on Detroit, a reality that seemed to define black youth as poor and unemployed, so too did uplift ideology appear to assign them a particular place within its own intellectual hierarchy: They were the rule that proved aspiring middle class reformers exceptional.<sup>73</sup>

But entrepreneurs in the underground economy dismantled the partitions both groups sought to erect. They acted as the equals of anyone else, regardless of race or class. And their dispute with police revolved not only around their involvement in an informal economy but also around issues of respect. Rudolph's status as an important part of the city's informal economy never protected him from police harassment on the street. He recalled visiting a shooting range in the suburbs and being arrested while driving back to Detroit. By then, he had become deeply involved in the city's informal drug economy. "I had big power then," he recalled. "I had a watch with a diamond band all the way around it," Rudolph said, "and the officer back there put my jewelry on and showed up." Though Rudolph received the watch back, the experience stung. "It's just how disrespectful it was, putting your stuff on," he said. For them, their movement between the formal and informal was still a choice. They were at the precipice of Detroit's economic changes.

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<sup>73</sup> A similar logic informs Marxist revolutionaries, who insert themselves between arcane, revolutionary wisdom and working class people as mediators, the one to the other. Uplift ideologues functioned similarly, positing themselves as mediators between the black community and white society. For an analysis of the former, see Ranciere, *The Philosopher and His Poor*, 127-35.

Alvin Grimes was more typical. Grimes aspired to be a musician, and immersed himself in the rock 'n' roll music that Death, too, embraced.<sup>74</sup> Grimes was 18 years old in 1973, the same age as Dannis Hackney, the band's drummer. Like the Hackney brothers, Grimes realized that embracing bands like the Beatles, Jimi Hendrix, even Sly and the Family Stone, made him an outcast in the black community, "because you wouldn't be considered black," Grimes said. But there were about a hundred similarly attuned students, "called ourselves the freaks," at Mumford High School when Grimes went to school there, out of a student body of several thousand. On the west side where he grew up, Grimes could attend "bebop-jazz" shows at Baker's Keyboard Lounge, "hardcore blues at Chessmate, and rhythm and blues at Watts Mozambique." Added to that were rock 'n' roll shows at venues such as the Grande Ballroom and the Eastown, Detroit's "own Fillmore." Grimes was also no stranger to the sense of alienation Death's songs expressed in relation to state violence. "Before I was like eleven," Grimes remembered, "my parents had the talk that most black parents have with their children about the police. 'If they stop you, stop. Don't run because they will shoot you in the back and they'll get away with it.' " He continued: " 'And if they call you 'nigger,' or 'coon' or 'spook' or something like that, don't say anything because they just looking for an opportunity to hurt you, '" he said. "So that's our relationship with the police." Grimes recalled that this relationship improved somewhat with the integration of the police

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<sup>74</sup> Alvin Grimes, interview by author, Detroit, MI, March 3, 2012.

department under Coleman Young. "The black cops were generally cooler," he said. "But then you would run into them, especially if they were with a white partner, and they're trying to prove that they're blue, not black." When he wasn't listening to music, Grimes was working.

"Why these people so angry?" was the question Grimes often asked himself as he worked behind the register at a Church's Chicken in Detroit. In his brief working life in Detroit in the early 1970s, Grimes ran the gamut from formal waged employment at a manufacturing plant in Detroit to ever more precarious forms of employment before leaving the city in 1975. One of his father figures, a man he called Barrington, gave him his first job, an informal one, when Grimes was seven years old. He and Barrington would sell brushes for the Fuller Brush Company on the weekends. Grimes entered the formal economy when Barrington became a manager at a Church's Chicken, and gave Grimes his first waged job. Barrington tried to recruit Grimes to a management training program Church's Chicken offered, but Grimes refused. "I didn't want to do it," he remembered. "I was playing music at the time. And there ain't no way in the world you going to do me like I see you do the assistant managers." Grimes clarified: "They'd work you like a Hebrew slave and give you a hundred bucks, salary," he said. "You're on salary, so they can work you until the color run out your eyes." Grimes learned about the factory by proxy, working behind the cash register. "Detroit's an angry town," he said. "It's a rough town. It's a blue-collar town. It's a factory town." And he remembered

the anger of the people he served. "People would come in, 'Gimme the two piece and a biscuit, a fuckin' strawberry...' You know, I could never figure this out. Why these people so angry?" It wasn't until he began working at the factory himself, he said, that he understood the anger that seethed in the city. For Grimes, working in a factory was a rite of passage. "This is my first grown-man's job, so I gotta do this, because I'm a man now." He had graduated high school, and though it was 1973, he managed, through a "friend of a friend," to get a factory job. After his first eight hours in the plant, exhausted, Grimes understood the city's anger. "My first night, I was almost in tears. I went somewhere and sat down," he said, because "I didn't want anybody to know, 'cause these are men." Men don't cry. Men work in factories. In his first night on the job, before he became acclimated to the factory environment, Grimes glimpsed the devastating reality, the psychological costs, that underlay the factory worker in the social imaginary. This work was not noble. It was not something you were born to do. It was something you did because you had to. The benefits — the wage, the social insurance, and the stability — paid the price for the psychological cost the work extracted. "Now I understood why they was always so angry," Grimes said. "You're working in an angry place, with angry people." Grimes described a life trajectory that working class people had come to expect in Detroit: "I graduate high school, so then you go work in the factory. And that way you buy your house, you buy your car, they pay you enough. I'm trying to do this," he said, "because this is traditionally what you do in

Detroit.” But the global shocks of the 1970s caught up with Grimes within 87 days, and he was laid off. Another three days would have given him entry into the union, into the “standard employment relationship” the creation of which Detroit and its automobile industry had been so central to.

From there, Grimes moved quickly to ever more precarious forms of work, and finally into the city’s informal economy. His first job after working at the factory was as a busboy at the Detroit Athletic Club. With that, Grimes found himself back amid the economic sector the African American community had been confined to prior to the 1940s — the low wage service economy. Grimes hated working at the exclusive, members-only club. “I hated that because it was, ‘boy.’ They literally called you ‘boy.’ I couldn’t stand that.” The experience highlighted that economic independence was central to the masculinity Grimes found in the factory. Soon enough, Grimes began working as a security guard. Providing security in a city so shaped by recession and rebellion was dangerous. Grimes remembered that the job “was cool until somebody tried to run me over with a car.” After that, Grimes began working as an ice cream truck driver, and it was here that his growing precocity intersected with the “hustles” that comprise so important a part of the informal economy. Initially, Grimes enjoyed the job. “Now that was fun,” he remembered, because it “was based upon how hard you worked, how much initiative and how many hours you were willing to put in in that sweatbox.” The job also remunerated Grimes for his initiative. He found that he could

“make some hustle” from it by buying “just the bare minimum of popsicles from the company” and then heading to a local supermarket to purchase additional supplies. By undercutting the company, Grimes could finesse the “thirty-seventy split” that was a condition of his employment with the ice cream truck company. “You’re making money,” Grimes remembered, “and a lot of it is yours, because you undercut the company.” But the ever more precarious employment situation, and the hustles people resorted to as a result, again intruded. “I would leave him at nine and I might sell ice cream until two or three in the morning,” Grimes remembered, since his initiative was so handsomely rewarded. “I was totally fearless. Until I got robbed in Jeffries [public housing projects]. I got robbed in Jeffries and that was pretty traumatic. I just kinda lost my nerve after that.” In the winter of 1974, Grimes took up snow shoveling and a variety of informal “hustles” — “I came across some rather ‘warm’ steaks, I moved some of those” — to supplement his unemployment. “I was sorry to see that snow go,” Grimes remembered, but its departure inspired Grimes to make a decision. “Man, this time next year,” he told a friend at the time, “I’m not gonna be here. First thing smoking, I’m getting outta here.” Grimes left Detroit for California in August 1975.

Whereas Charles Rudolph chose the informal economy over waged work in a factory, and Alvin Grimes was expelled from the factory, to the McGhee brothers,

factory work was becoming foreclosed.<sup>75</sup> Tracy McGhee was born in 1960, and his brother Johnny was born the following year. “Our friends were all hoodlums,” Tracy remembered. In 1980, not long after the brothers graduated high school, 22 percent of working-age African American men were unemployed, compared to just 7.6 percent ten years earlier.<sup>76</sup> They learned about the factory from their father. He was strict and quiet Monday through Thursday, Johnny recalled, but would experience “a metamorphosis” on Friday. “He was a totally different person,” Johnny remembered. “It was music in the house ... It was so refreshing.” But “after he gave everybody allowance,” Johnny said, “we didn’t see him until Sunday.” On Sundays, they would sometimes find him in a bathtub full of ice water, still wearing a full suit, covered in blood. They later learned that on the weekends when he disappeared, he would “pick a fight, in the club, with the biggest guy.” The brothers speculated that the reason for this was because of his work experience. “My father had a lot of responsibilities,” Johnny said. “So I figured, by the end of the week, as far as he’s concerned, Saturday and Sunday was his, not the kids, not the wife. It was his.” Their father’s behavior taught them much about working in a factory without ever having to step foot in one. The contrast between the anger he conveyed during the week, the brief moment of lightness on Fridays, and a violent purge on the weekend conveyed an understanding of the world, a class-consciousness of

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<sup>75</sup> Tracy and Johnny McGhee, interview by author, Detroit, MI, March 14, 2013.

<sup>76</sup> Farley, 82.

its own. In shunting responsibility for the social reproduction of the household — the cooking, cleaning, and other tasks that allowed the home and its inhabitants to exist from one day to the next — onto his wife and the boys' stepmother, their father also demonstrated how the factory conditions that alienated him reproduced that alienation in the home, as his wife worked the second job his factory wage paid for.<sup>77</sup> In 1975, their father taught them another lesson about factory life when he quit his job working for General Motors and became involved in the city's drug economy.

The dance's creation was rooted in the economic circumstances the McGhee brothers experienced, in the transition toward precarity. "We were criminals and we were thugs," Johnny McGhee remembered. The Jitterbugs traveled through the city, fought for each other, and protected each other. "Nine to ten of us were good friends and hung out all the time," Johnny said, "Five of the nine to ten became the Jitterbugs." "There's no working," Tracy McGhee said when asked about what he and his friends did for a living. "We danced." The brothers were dancers, and together they created the "Jit," a series of dance moves that became Detroit's homegrown response to the invention of hip-hop in New York City. In this capacity, the Jitterbugs — Tracy, Johnny, their brother James, and two other friends — became local celebrities, appearing on "The Scene," a local Detroit music show, which the brothers described as "like 'Soul Train'

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<sup>77</sup> For a discussion of the labor that a factory wage paid for in the home, see Mariarosa Dalla Costa and Selma James, *The Power of Women and the Subversion of Community* (Bristol: Falling Wall Press, 1975).

here in Detroit” as well as at the annual North American International Auto Show in the 1980s.

These groups also served as criminal operations. Gangs were the informal work groups of the informal economy, the way the wildcat of the streets organized itself. Together, the Jitterbugs would rob department stores in the city. Johnny McGhee remembered stealing a pair of shoes that were too small for him: “I wore 'em anyway! I was in a lot of pain but they were so sweet with the tassels and I wore 'em.” The Jitterbugs used their pilfered goods to outfit themselves on stage. “The stuff that we stole when we would break into the stores downtown,” Johnny McGhee said, “we used that stuff on stage,” including five different colored, Borsalino dress hats. The Jitterbugs even used shoplifting to settle disputes with other gangs. According to Johnny, the Jitterbugs and another group decided to settle one dispute at Northland Mall, one of the first suburban shopping malls in the country, just outside the Detroit border. “We’re gonna test the best thief from your crew to the best thief from our crew,” Johnny remembered the wager. “And we’re going up to Northland and we’re going to do a contest to see which can steal the most stuff.” After one of the boys was arrested by a security guard, another attacked the security guard and the group scattered. “Imagine nine dudes running at top speed through Northland,” Johnny said. Eventually, the McGhee brothers were taken into police custody in what they described as a police mini-station underneath Northland Mall, where they say they were severely beaten.

The incident paralleled in form a similar incident at Northland eight years earlier.<sup>78</sup> That incident involved a protest against the Vietnam War during which anti-war protesters with Students for a Democratic Society unfurled a Vietcong flag in the mall, and an Army veteran tore it down. That led to a physical confrontation between the veteran and members of SDS, and at some point a smoke bomb was thrown through a plate glass window of a department store. Malls like Northland, built in 1954, sought to recreate tranquil public spaces while at the same time, as private property, abrogating the constitutional protections in public spaces. Political protest in the 1960s refused to honor the distinction between public and private these malls sought to erect, and in the process undermined their placid facade. These disruptions continued into the 1970s with groups like the Jitterbugs, which used petty theft as a challenge, a sport, and a competition against other self-organized youth groups and with those groups against the police.

Like Charles Rudolph's contrasting experience of the city's streets as a crossing guard, the McGhee brothers also experienced a reversal in their approach to public space while attending school. "We ran Charles Drew," Tracy remembered. When a new principal arrived, she harnessed their leadership to create stability: "The bullies of the school are now security!" Tracy said, "She was really smart." Though in a sense, these

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<sup>78</sup> Tom DeLisle and Chris Singer, "14 Held in Northland Clash; Hudson's Smoke-Bombed," *Detroit Free Press*, December 21, 1969.

efforts instated Rudolph and the McGhee brothers into the police order, their response to them, the sense of pride it instilled in them, suggests the degree to which they sensed their estrangement from those spaces otherwise. Rather than being an object allocated into a particular set of boundaries and social relationships, as they otherwise were treated by the police, they became active agents in that distribution. Rudolph and the McGhees found the experience an empowering one.

The Jit was rooted in the social life of African American youth in Detroit. But the group “really started” as a dance troupe in the streets. “When we wasn't robbing or beating somebody up,” Johnny McGhee said, “we were standing under the street lights slap boxing.” “While under there, we had absolutely nothing to do.” One day, Stanley Bowman, a founding member of the Jitterbugs, began coordinating them into dance steps, emulating the Jackson Five. Soon, the Jitterbugs developed original dance moves — the Strike, the Drop, the Jazz It, and the Walk. “All four of those opened up a whole network of other steps,” Johnny McGhee said, and eventually the Jit was born: A new form of dance forged among idle but restless young people, a product of a vibrant youth culture on the streets of Detroit. “We built our reputation from basement parties,” Tracy said. “We'd go to the basement parties and just start dancing.” Eventually, the group met Kim Weston, a Motown singer active in the city's arts community, who integrated the Jitterbugs into the city's entertainment industry. Weston worked with the city of Detroit to inscribe young people like the Jitterbugs back into the bounds of legality, an

encounter with the politics of respectability, and a wager on social peace. This movement provides real insight into how young people in Detroit were processing the social and economic world they were living through in the 1970s.

The McGhee brothers credited Kim Weston with transforming the way in which they went about gaining respect. "You know what she told us?" Tracy said, "'You gotta be humble in this field.'" The brothers were used to "getting respect out of fear," he said. "That was our world. That's what we did." Their encounter with Weston changed that. "But when we figured out you can get respect by being humble, it changed the whole game. We didn't want to be like that anymore," Tracy said. "Now we wanna be citizens." In the streets, as the McGhee brothers developed the Jit, they stole clothes to outfit themselves. They earned respect through fear. They did these things because they did not feel like citizens or like they belonged to the city. Their partnership had the effect that Weston hoped it would, from the city's perspective: It kept the boys out of trouble. "We're staying away from our friends," Johnny said, "because now we're woodshedding. We're staying to ourselves and we're not involved in stealing and breaking in houses no more. And now we don't wanna be involved because we're liking what we're doing." Their experience working with Weston functioned in the opposite direction as their father's experience in the factory. Their father embraced the informal economy of the streets because he did not like what he was doing at the factory. They rejected the informal economy of the streets that they had embraced with their father's

example. What the McGhee brothers sought was a non-alienated existence. They pursued it through the opportunity that Kim Weston provided to act like the equals of any artist.

“We felt like, at that time, working was for suckers and squares. You didn’t work. You hustled.” This was how Greg Taylor described his relationship to work growing up in the 1970s. Like the McGhee brothers, Taylor had no experience of factory work. He was born in 1959, one year before the oldest McGhee brother, Tracy. Like the McGhee brothers, too, Taylor was drawn to Detroit’s burgeoning street life as a site where he could, through his own actions, incorporate himself into a city he was otherwise estranged from. “There’s nothing to do out here on these streets,” Taylor said, a reality that in the case of the McGhee brothers gave rise to the Jitterbugs. In response, Taylor and his friends created something out of nothing. In the mid-1970s, Taylor and the people he grew up with created a west side gang called the Fenkell Avenues. Taylor attributed the creation of the gang as well to his experience shuttling between different schools on the west side. “I didn’t know anybody over there,” Taylor said, when he began attending Central High School. “I just knew the people that I transferred over there with.” The experience was unsettling, particularly as gang members pushed the geographic limits of their neighborhood: “you was kind of leery and cautious about being in certain areas,” Taylor remembered. Being a part of a gang was in this sense literally empowering. It made Taylor feel more powerful. “You didn’t want to be caught

out here by yourself," he said. As a result, "people clique up" he said, "they start their own gangs or whatever you wanna call 'em." The ambivalence about the "gang" label that Taylor expresses reflects its many functions in the lives of young people like him. "Young men enjoyed it," Taylor said of his experience with the Fenkell Avenues. "It gave someplace, something to do, something to belong to." Abandoning the "gang" label, then, may prove to mark this ambivalence. As Taylor said, "people clique up." They form cliques. As a member of one of these cliques, Taylor said, "You could call yourself somebody and be somebody. Gangs allowed you to be somebody." This included the intimidation of non-members that functioned as the corollary of the protection these gangs offered to members.

During the period that Taylor formed and participated in the social life of the streets in this way, his clique gave him something else that was important — a sense that he was a citizen with a meaningful voice in determining the fate of his community. The internal life of the Fenkell Avenues, Taylor remembered, had no central structure nor a distinct leader charged with assigning people tasks. "I wouldn't say it was one person saying, 'let's do this, let's do that,' " Taylor recalled, "or one person telling another person to do that. It was more like a democracy," Taylor said, in which members might suggest something, and others then discussed it and decided on it. This was not to say the groups lacked leaders but rather that the criteria of leadership depended on

something different. In the case of the Fenkell Avenues, Taylor said, “the leaders would be the guys that were fearless.”

As the Jitterbugs did for the McGhee brothers, so did the Fenkell Avenues serve an economic function in Taylor’s life — with them, he committed crimes. “There was a lot of poverty on the east side,” where Taylor grew up before moving to Fenkell Avenue and eventually starting his gang. A significant part of the appeal of cliques was the way they appeared to overcome this poverty. “Gang members can have money,” Taylor said. “They can have clothes. They got cars. They have things that a lot of guys and a lot of young men, they don't have and they attracted to it.” Taylor’s use of the modal verb speaks volumes in this instance: Clique members were able to have money. But the appearance was deceptive, because having money, having clothes, having cars — these things were not permitted to them by the social order that they in any case did not participate in. Alone, he was nobody. But being a member of the Fenkell Avenues gave him permission. Clothing acted as a status symbol for cliques. By participating in petty crime — stealing clothes, “till tapping” or reaching over the counter at a store and grabbing cash out of the register — Taylor and the people he grew up with bought themselves the clothes they saw around them. Borsalino hats, like the Jitterbugs wore, Nik Nik polyester dress shirts, even glass-heeled shoes from Kosin’s shoe store downtown near Cobo Hall. But the clothing was symbolic in another way. It demonstrated to everyone who saw Taylor and his friends that they were defying the

social order. "Everybody didn't wear that, because everybody couldn't afford it. So if you were wearing it," Taylor said, people knew "you was somebody." This was doubly true if your clique was large. "If it was a bunch of y'all with the hats," Taylor said, "they know they getting some money. It was undeniable."

The sense of power, of belonging, of citizenship Taylor felt as a member of the Fenkell Avenues was contingent, however. As he got older, his ambition intersected with the social order police enforced. "As I got older," Taylor said, he "started having contact with the police" and "it wasn't always that nice." Some of this harassment was tied to his physical mobility: "I got pulled over several times simply because it was a group of us in the car. And we got searched," although, "we didn't have anything at that time." Taylor attributed the harassment to the prevalence of cliques in the city at the time, which made it more understandable in hindsight. But he also recognized the way in which these police actions sought to impress on him his place within the social order: "They let you know: 'We run the streets.'" When Alvin Grimes graduated high school, he understood that it was in the factory that he became a man, acquired a modicum of material security, and assumed his place in the social order. Their encounter with Kim Weston diverted the Jitterbugs from pursuing the auspicious start they had made as a dance troupe with a crime problem. This was not the case with Greg Taylor. "As you matured and got older," he remembered, "you started thinking of bigger things." From till-tapping and stealing, Taylor said, "we graduated ... to doing other things," namely

robbing jewelry stores. "They would put jewelry in the windows," Taylor said, "We'd bust the window and grab the jewelry." When Taylor and the Fenkell Avenues graduated to these bigger hustles, they also began to entangle themselves still more with the police. And it was the police and prisons that awaited many gang members in Detroit in this period. "A lot of gang members," Taylor remembered, "were rolling out by '78, '79." In other words, "they was going to prison. They was getting killed. And a lot of 'em was using dope. So the game start kinda fizzling out." Taylor himself was arrested for robbing a jewelry store opposite Northland Mall in 1979 and sent to prison in 1980, where he served eleven years. Charles Rudolph, somewhat older than Grimes, the Jitterbugs, and Taylor, began serving a prison sentence for his involvement in the city's informal economy in 1974. Their experience was by no means unique. In 1975, the number of people incarcerated in the state of Michigan reached its highest point, surpassing the previous record of 1959.<sup>79</sup> It would never again be lower, and would more than quadruple in the next four decades.

The year 1975 marked a coming of age for young African American men in Detroit. It was in 1975 that Alvin Grimes left Detroit, following two years spent descending into increasingly precarious forms of employment, after being laid off during the 1973 recession. In 1975, the Jitterbugs performed their first paid gig, at a backyard wedding reception. In 1975, Greg Taylor was about the same age as Alvin

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<sup>79</sup> Michigan Department of Corrections, Statistical Report, 1998, 40.

Grimes, and young men organized into informal work groups were waging a wildcat of the streets that undermined the police order then emerging. One of the most significant expressions of the wildcat of the streets was a mass robbery that occurred in downtown Detroit in 1976. Taylor participated in that robbery, and the event provoked the organizations involved in the distribution of political, social, and financial capital in the city to respond forcefully, and punitively, to the problem of a generation of estranged youth incorporating themselves at the grassroots.

### ***“A Battle for Detroit”: Mass Robbery at Cobo Hall***

In August 1976, an Average White Band concert in the heart of downtown Detroit was overrun by dozens of young people associated with east side gangs.<sup>80</sup> The concert venue was Cobo Hall, Detroit’s premier convention center as well as the site of Detroit Pistons basketball games and frequent rock concerts. At the start of the show, black youth stormed the concert gates and gained entry. Once inside, they jumped on stage, brandished umbrellas as weapons, and robbed hundreds of concertgoers. During the melee, a white female teenager from the suburbs was sexually assaulted outside the venue. The incident unleashed a storm of publicity about gangs and youth crime, and the *Detroit News* even went so far as to print a lengthy list of alleged gang members’

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<sup>80</sup> For coverage of the Cobo incident and its aftermath, see “Teens Rampage in Downtown Streets,” *Detroit News*, August 16, 1976; “Gang Terror Stirrs Strong Civic Reactions,” *Detroit News*, August 17, 1976; “Secret Gang Report Bared,” *Detroit News*, August 18, 1976.

names publicly, many of them juveniles.<sup>81</sup> In response to criticism of this decision, the *News* defended its actions, declaring that, while it had long adhered to journalistic conventions regarding printing juveniles' names, "This is war."<sup>82</sup> Moreover, it continued, "The *News* will continue to identify youngsters at war against the city." Numerous young people rejected this characterization of themselves as gang members, visiting the paper's offices to complain.<sup>83</sup> To them, far more pressing was the economic situation. "If they give me a job," one said in the wake of the Cobo incident, "we'll guarantee no more of this fighting." Others, self-described gang members, complained about the publicity, saying they'd prefer anonymity. Significantly, one member of a gang called the Black Killers suggested a future headline for the paper: "Who owns the city? The BK's or Coleman Young?" These sentiments suggest that the sense of estrangement from the city that the McGhee brothers and Greg Taylor expressed was widespread, and that young people were willing to engage in a contest for control of Detroit's streets, both physically and symbolically. One of the Cobo Hall victims dramatized the stakes in this conflict in bold terms when she announced that she would prosecute her assailants: "It's a battle for Detroit," she said. "Either it's our city... or it's theirs."<sup>84</sup>

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<sup>81</sup> "These Are Punks and their Gangs," *Detroit News*, August 18, 1976.

<sup>82</sup> Editorial, "Harsh Measures for Harsh Times," *Detroit News*, August 20, 1976.

<sup>83</sup> Theasa Tuohy, "Gang Tag Draws Denials, Defense," *Detroit News*, August 19, 1976.

<sup>84</sup> "Victims of Gangs Will Prosecute Assailants," *Detroit News*, August 18, 1976.

The martial language that became so prevalent in the aftermath of the Cobo Hall incident was tied to Mayor Coleman Young's attempt to introduce his "law and order, with justice" into the city. Young's "people's police department" corresponded with efforts by ESVID and New Detroit to keep east side youth away from the temptations of the street. Shortly after Young's election, he sat down with members of his administration "to express his concern about the increasing number of crimes perpetrated, often in street gangs, by young Detroiters."<sup>85</sup> Ultimately, a federally funded program known as Community Youth Services Program (CYSP) resulted from these meetings. It sponsored health fairs, connected community members to agencies that could fulfill their needs, undertook beautification projects in the neighborhoods, and even created the youth boxing program headed by Emanuel Steward that would produce boxing champions like Thomas Hearns. Jim Ingram, a journalist with the *Michigan Chronicle*, was a co-director of that program along with community organizer Larry Nevels. The boxing program was part of a concerted effort to integrate precarious east side youth into the fold of acceptable behavior. It reflected Nevels' interest, in the wake of the deaths of Gerald Craft and Keith Arnold shortly after Young's electoral victory, in declaring "all-out war" on crime.<sup>86</sup>

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<sup>85</sup> Larry Plump, "Butzel Youth Program Alternative to Streets," *Michigan Chronicle*, September 13, 1975.

<sup>86</sup> James Graham, "Young Plea to Citizens: Rid Detroit of Crime," *Detroit News*, December 7, 1973, Folder 5, Box 182, Coleman A. Young Papers, Charles H. Wright Museum of African American History, Detroit, MI.

As these efforts sought to make Young's liberal version of law and order more just and rights-laden, the police department remained quite willing to use violence to clear the streets or enforce order. This was evident whenever youthful violence became embarrassing to Coleman Young's administration. In the fall of 1975, Young initiated a crackdown on gangs after a series of violent incidents and reprisals on the east side. An article in the *Detroit News* titled, "One Night's Prowl On the City Streets," demonstrates how Young's reforms strengthened the power of the carceral state to quell social unrest.<sup>87</sup> The title itself illustrates what was at stake. It is unclear at the outset who is on the prowl for whom. Given that the victims of street crime were rapidly displacing victims of police brutality in Coleman Young's reconfigured police order, one might reasonably assume that it was young black men "on the prowl" on the streets. As it turned out, however, the author meant the police, and the word choice was apt. The article describes incident after incident of police harassment of black youth. Police officers "devoted special attention" during their time "on the prowl," to any young people wearing gloves, or "bulky coats," or engaged in "any activity that aroused [police officers'] instincts and suspicions." These activities included standing on street corners, "sauntering down the sidewalk," and loitering. In fact, the author admits, "Every teenager the two policemen spotted got the once-over." After each fruitless stop, the police confidently asserted that the people they had just accosted were nevertheless

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<sup>87</sup> Gerald Storch, "One night's Prowl on the City Streets," *Detroit News*, November 16, 1975.

gang members, or involved in gang activity of some kind. One officer boasted of the fruits of their “prowl” on the east side streets: “When we first started in September ... there’d be 50 guys on that corner instead of six. They used to brag that they wouldn’t let police come there.” Perhaps most significant, the two police officers carrying out this low-level harassment were African American. During the Livernois disturbance, Mayor Young mobilized black police officers at the front of police lines in order to demonstrate a reformed police department. In his effort to undercut gang activity in the city, Young found African American police officers politically indispensable.

The limitations of Young’s two-pronged approach to policing were evident in the ongoing tensions between police and social workers employed by the city in programs like CYSP. Many of these social workers were former gang members themselves, and they were harshly critical of the police department’s more repressive measures, often attempting to use their positions as a way to deflect police pressure from young people on the east side. One example of this is the case of Keith Harvey.<sup>88</sup> Harvey was himself a former gang member who gave up his gang activity when the Bishops and Chains dissolved themselves into an organization called the Brotherhood. A dynamic organizer, he proposed to use his former gang connections to involve gangs in breaking up dope houses on the city’s near northwest side, an area of the city that fell within the purview

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<sup>88</sup> “Photo Holds ‘Hammer’ Over Activist,” *Detroit News*, June 7, 1976; “Gangs had roster of black officers,” *Detroit News*, August 19, 1976.

of the police department's Tenth Precinct. Both the Detroit Police Department and the Detroit branch of the Urban League opposed this plan. He suggested in a newspaper profile that the Urban League lodged a misdemeanor larceny complaint against him because he was "messing with the establishment." More substantively, Harvey said that he "discovered that the police only wanted to use me to snitch on street gang leaders, and the Urban League did not want to deal meaningfully with street gang problems at all." Harvey's experience suggests the ongoing estrangement from the civil rights establishment of young African Americans as well as the limitations of a community policing approach.

Another example of these ongoing tensions occurred soon after the publicity surrounding Harvey's claim of obstructionism appeared. At that time, a truce between two east side gangs ended in a violent confrontation with police and several instances of "shopping for free" in the neighborhood.<sup>89</sup> Though portrayed as an "explosion," with the implication that the former gang rivals came to blows, the description of the incident from one of Young's CYSP workers suggested a united skirmish with police after they "confronted some of the marchers as they dispersed."<sup>90</sup> When Stanley Black, a CYSP

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<sup>89</sup> "Detroit Gang Truce Explodes; 8 Seized," *Detroit News*, July 29, 1976; "Young Lowering Boom on Gangs, Street Youth Workers," *Detroit News*, July 30, 1976. "Shopping for free" was a common term for the looting that accompanied the 1967 uprising, and groups like the League of Revolutionary Black Workers often argued in its defense. See for example, "Robbery," *DRUM*, n.d. [ca. 1968], vol. 1, no. 7, Box 17, folder 4, DRMC. Regarding an alleged robbery of a vending company at a Chrysler factory, *DRUM* argues that "this was no robbery to begin with; this was merely a question of someone at last receiving back pay. The real robbery, the real theft is the theft that goes on in this plant hour by hour and day by day."

<sup>90</sup> "Young Lowering Boom."

worker, intervened, he was arrested and beaten, sparking a more violent confrontation. Young quickly sided with police, blaming the incident on street workers themselves for “trying to circumvent police.”<sup>91</sup> Black harshly criticized the Young administration less than a month later when, following the Cobo Hall incident, Young issued a curfew. Black argued that young people would interpret the curfew as discriminatory and a test to them.<sup>92</sup> Moreover, he declared the general gang crackdown “a provocative challenge” to street youth. Black may have had some basis for his claims, given his intimate contact with east side youth and his own past involvement in gangs. Young responded to Black’s criticism by firing Black, citing his attempts to begin a defense fund for curfew violators as well as his interference with police arrests during the truce breakdown. Black’s dismissal suggested the ongoing tensions between youth and street workers on the one hand and police and the city administration on the other. It also suggested the limitations of the community policing approach. “In the final analysis,” Young declared, “one group has to call the shots, and under the law, when the law is violated, that’s the police and not the community workers or private citizens.”<sup>93</sup>

In an atmosphere of rising bellicosity between young people and sympathetic advocates like Stanley Black and Keith Harvey on the one hand and the Young administration, civil rights groups, and police on the other, the mass robbery at Cobo

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<sup>91</sup> “Young Lowering Boom.”

<sup>92</sup> Gerald Nelson, “Gang Crackdown Is Called Useless; A Challenge to Thugs?” *Detroit News*, August 18, 1976.

<sup>93</sup> “Young Lowering Boom.”

Hall erupted downtown. For Greg Taylor, the Cobo Hall incident occurred for several reasons. One was that the city's African American youth believed they had a right to public spaces. "Anything that was to bring a crowd downtown, in the Seventies, gangs was gonna be there," Taylor said. Concerts were a particular draw. "That's where you get dressed up to go. Concert come to Detroit in the Seventies? You getting dressed up and you going down there," Taylor said. "Because you representing your 'hood. You representing yourself. You representing your gang. You representing who you were." Concerts were an important venue at which to display the success of the clique to which young people belonged. Average White Band itself impacted the Cobo Hall incident. "Everybody loved AWB!" Taylor recalled. And the band was racially integrated. As a result, the concert drew a mixed race crowd to Cobo Hall. Taylor suggests that this contributed to the robbery that took place. "This is how blacks thought of whites," Taylor said. "My age group, we thought of whites as a 'lick.' When I say a lick, that means that they were somebody you could get your hustle on from, in terms of taking advantage of them." After the robbery began, it quickly escalated and spread to the downtown area. "It didn't take long to spread from the concert," Taylor said. At Kosin's shoe store, downtown, gang members broke into the store to steal the "glass-heeled shoes" Taylor said were so valued among his friends. Joseph Dupaquier, the owner of Kosin's, took solace in the fact that so many of the "glass-heeled shoes" — actually a Lucite heel that Dupaquier claimed to have invented — stolen were "perpetual" heels,

meaning that the thieves “won’t be back for a while.”<sup>94</sup> The involvement of Taylor, the Fenkell Avenues, and numerous other informal work groups of the streets meant that the depiction of the incident in newspapers as highly organized was to some extent true. It was, however, far from the “planned campaign of terror” that police suggested it was.<sup>95</sup>

In the wake of the Cobo Hall incident, city freeways became an important site of contestation, as young people used them to range far beyond the city limits. Numerous incidents quickly followed and implicated the metropolitan region in the city’s instability. In one, a group of young people raided the Boys Training School, a juvenile facility far north of the city in Whitmore Lake, in an attempt to free some of their friends, shooting up the place in the process.<sup>96</sup> In another, unemployed African American factory workers drove into wealthy suburbs and kidnapping whatever child they could find to hold for ransom.<sup>97</sup> Several robberies also occurred on city freeways. One incident in particular demonstrated the extent to which young people themselves viewed the confrontations as a “battle” for control of the city. Richard Bishop, a motorist interviewed by the *Detroit Free Press*, told police he was robbed by a multi-racial group

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<sup>94</sup> Richard Willing, “Unfair Game; He Endures 3 Rip-offs in 3 Days,” *Detroit News*, August 17, 1976.

<sup>95</sup> Norman Sinclair and William Dunn, “Cobo Terror Organized? Police, Victim Think So,” *Detroit News*, August 17, 1976.

<sup>96</sup> “Reformatory Shot Up by Detroit Teens’ Pals,” *Detroit News*, August 31, 1976; “Reformatory In Fear,” *Detroit News*, September 1, 1976; “Wayne Youth Home Security Bolstered,” *Detroit News*, September 1, 1976.

<sup>97</sup> “Mom of 150G Kidnap Suspect: ‘I Am Stunned,’” *Michigan Chronicle*, November 22, 1975; as well as “Kidnaped boy tells story: He was held in 2 Days In Car,” *Detroit News*, November 13, 1975; “2 Men Arrested In Kidnapping of Boy,” *Detroit News*, November 15, 1975; “2 Ann Arbor Men Arraigned In Kidnaping of GM Aide’s Son,” *Detroit News*, November 16, 1975.

of young people on one of the city's freeways after he stopped to fix a flat tire. Bishop was shot during the incident, and newspapers reported that one of the youths said to him after the shooting, "You tell (Mayor) Young we own the city."<sup>98</sup> This sentiment corroborates Stanley Black's warning to Young that a crackdown on gangs would antagonize young people, a warning that got him fired days after the Cobo incident. It also resonates with the experience of Charles Rudolph, empowered as a crossing guard but living within a circumscribed racial geography, or with the experience of the McGhee brothers, bullies-become-police in their schools who were well familiar with the police as bullies on the streets. "We own the city." In that youth's phrase echoes the desire for belonging, the demand to be considered citizens on equal terms with anyone else regardless of race or class, and an attempt to resist the close link between race, geography and policing that was at the time still being defined.

Young people facing the constraints of the bleak economic outlook of the 1970s discovered something corporations had discovered decades before: Geographic boundaries were malleable. The use of freeways enabled a new form of mobility for young people, and destabilized the image of the suburbs as a space free from the ills of the city. One article evoked this instability graphically, evoking the Saul Bass-designed film poster for Otto Preminger's film *Anatomy of a Murder*.<sup>99</sup> The image depicts two

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<sup>98</sup> Helen Fogel and Eileen Foley, "Teens Rob, Shoot Disabled Driver - 'We Own the City,'" *Detroit Free Press*, September 12, 1976.

<sup>99</sup> Barbara Doerr, et al, "Freeways - Taking Crime to Suburbs?" *Detroit News*, October 17, 1976.

dismembered figures connected by a freeway. A menacing figure with a gun fires bullets that double as cars along the freeway at a prone victim alongside the title, "Freeways — taking crime to the suburbs?" Of particular cause for concern were jewelry store robberies taking place in affluent suburbs far removed from Detroit's city limits. "Crime has become a very mobile thing," a deputy police chief in one suburb said. "I don't believe that crime has any boundaries," said another suburban police chief. City officials in outlying cities responded to the threat to their own carefully cultivated order with their own jabs of rhetoric, and racial antagonism lurked beneath the surface. "Detroit's kid gangsters who boldly swagger around the east side committing crimes and brandishing guns won't find the going so easy on the other side of Eight Mile, the mythical boundary line between the city and its suburbs," a *Detroit News* editorial claimed.<sup>100</sup> The City of Birmingham took a particularly strident stance. Gerry Tobin, Birmingham's Police Chief, "put young mobsters on notice that they face the prospect of being shot on the spot if they repeat their recent 'smash and run' robberies in his affluent city." The editorial urged young people to heed the warning rather than risk a repeat of the days of STRESS, the city's entrapment program that resulted in the deaths of almost two dozen African American men in less than two years of operation. Oakland County Prosecutor L. Brooks Patterson agreed with Tobin, and told the *Detroit News* that Detroit

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<sup>100</sup> Editorial, "Suburbs Warn Youth Gangsters," *Detroit News*, October 10, 1976; Joel Smith, "Birmingham Warns Detroit Gangs," *Detroit News*, October 5, 1976.

youth in Oakland County should not expect lighter sentences on reduced charges if caught in his district. The comments reflected the criminalization of poverty, youth, and race, which incidents like the mass robbery at Cobo Hall elicited from policy makers. As young people in Detroit were learning, constitutional protections did not apply to them in many cases, for they were only formally considered citizens. Beginning with the Cobo Hall incident, a series of events involved the entire metropolitan area in the question of Detroit's fate. The incidents posed in dramatic fashion the interconnected social, political, and economic structures that bound the region together. But while it raised the possibility of a regional solution to the urban crisis gripping the city, those more ambitious prospects remained unfulfilled. Confronted with what seemed a growing instability in the city, able to count on little regional collaboration, and far removed from his earlier radicalism, Coleman Young and the electoral coalition he had forged — business and labor leaders together with civil rights groups and Detroit's African American voters — sought legislative solutions to the social problems that confronted them. They formed a coalition against crime.

### ***Rebuilding the New Deal Coalition through Crime***

In the immediate aftermath of the Cobo Hall incident, demands for a more punitive approach to juveniles involved in crime emerged from many quarters. Court of Appeals Judge Vincent Brennan recommended more police violence in the face of events

like those that transpired at Cobo Hall.<sup>101</sup> He also suggested treating juveniles as adults: “If they commit felonies, they’re criminals,” he said. “I don’t buy this so-called mythical age of 16. We’ve got hardened criminals in this city who are only 13,” he continued, “and they terrorize both black and white people.” Brennan also recognized the financial issues at stake. “Brennan said Detroit had viable interests in such places as the Renaissance Center and the Civic Center and they ought to have adequate police protection,” one newspaper reported. June Brown, an African American newspaper columnist, concurred with Brennan. In an editorial for the *Detroit News*, she addressed a growing divide in the black community. “Blacks flee to suburbs to avoid busing, poor housing, crime and — other blacks,” she declared in the headline.<sup>102</sup> Brown set up a dichotomy between two groups of black people, divided by morality. One group, she said, believed adults must work for a living, attend college, not have illegitimate children, and ostracize those that acquired criminal records. Another group, one she admitted had “to struggle so hard to survive that survival at any cost becomes the goal,” had a different morality. They would accept money from welfare or any other means, valued clothes and cars as highly as housing, believed a high school diploma was sufficient and believed that “an illegitimate child is not a disgrace to a daughter and no son should be ostracized from his family, regardless of what he does.” The editorial

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<sup>101</sup> Jack Crellin, “Gang Terror Stirs Strong Civic Reactions,” *Detroit News*, August 17, 1976.

<sup>102</sup> June Brown, “Blacks Flee to Suburbs,” *Detroit News*, November 12, 1975.

illustrates the tension between an aspiring group of adherents to the tenets of uplift ideology that obscures the way racism and class oppression functioned to distribute social wealth in particular ways. Brown depicts the massive unemployment inside Detroit and a generation of young people as a personal failing, a choice. Those young people had few prospects for work in the formal economy and yet were castigated for their inability to find work and their reliance on public assistance.

Three days after the Cobo Hall incident, the Detroit City Council voted unanimously to institute a curfew that prohibited people under 18 years old from public spaces after 10 p.m. The council also passed an amendment to the city's stop-and-frisk policy, giving police the power "to take any suspicious person, at any age, who failed to produce adequate identification into the precinct station for an identification check," newspapers reported.<sup>103</sup> Council members passed the ordinances in response to Mayor Young declaring that "an emergency" existed in the city and invoking an "all-out war on juveniles responsible for the increase in crime," as well as the adults "who encourage and cooperate with them." In the wake of the Cobo Hall incident, an anti-crime coalition was taking shape. Young himself acted decisively, announcing a plan to rehire 450 police officers ahead of the city's receipt of federal money it planned to use for the same purpose.<sup>104</sup> Young also announced the creation of a gang task force "aimed at

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<sup>103</sup> Don Tschirhart, "Curfew on Tonight," *Detroit News*, August 19, 1976.

<sup>104</sup> David Blomquist, "Detroit Rehiring 450 Policemen," *Detroit News*, August 17, 1976.

dismantling gang activity." Many understood the move as a reversal of his earlier position. "The decision," the *Detroit News* reported, "represented a dramatic turnaround for Young, who promised to substantially restrain tough police tactics during his 1973 election campaign." Young's Deputy Mayor William Beckham felt confident he could deploy the police department in this way without sparking an entrenched oppositional movement in the city, because, "all citizens — black and white — now feel they need police protection." Anyone who did not, Beckham implied, was not a citizen.

Young could count on the support of the Detroit branch of the NAACP, as well. After the Cobo Hall incident, Larry Washington, the branch president, announced that it would "do everything in its power to muster support for an all-out drive against the lawlessness that is prevailing."<sup>105</sup> Francis Kornegay, president of the Detroit chapter of the Urban League, suggested a revival of STRESS to combat the crime wave among youth, a recommendation that Ronald Sexton, president of the Detroit Police Officers Association, and Robert Cahill, general manager of a downtown hotel, also endorsed.<sup>106</sup> Young could also count on the support of the business community. Diane Edgecomb, the executive vice president of the Central Business District Association in downtown Detroit, echoed Kornegay's STRESS suggestion as well as Judge Brennan's

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<sup>105</sup> Crellin, "Gang Terror Stirs."

<sup>106</sup> Jack Crellin, "STRESS Revival Is Urged," *Detroit News*, August 18, 1976

recommendation to deal with juveniles more harshly.<sup>107</sup> She advocated “giving jurisdiction over juveniles back to judges,” on the grounds that she believed social workers in the Michigan Department of Social Services by and large chose to release juveniles back home “without even sending them to reform school.” What we see emerging in Detroit is a coalition of forces developing a renewed basis for its common work in response to youthful rebellion from below. The former consists of an African American political elite, labor leaders, business interests and state institutions, including municipal government and police departments, against an inchoate youth rebellion with little attachment to any of the above but whose actions destabilize attempts of the former coalition to impose a new and far more precarious relationship to employment on these youth.

The Cobo incident and freeway crime that followed also provided occasion for organized labor to get involved in revitalizing the ailing New Deal coalition by joining Young, civil rights groups, and business leaders in the anti-crime coalition. Not long after the Cobo incident, Robert Battle, UAW Region 1A director and a prominent African American trade unionist with close ties to Coleman Young, announced the UAW’s intention to join the “fight against street gangs.”<sup>108</sup> In the meeting Battle arranged to discuss how organized labor could contribute to the anti-crime fight, the

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<sup>107</sup> Jack Crellin, “Crime Fighter: Downtown’s Biggest Booster Puts Heat on City Officials,” *Detroit News*, August 18, 1976.

<sup>108</sup> “UAW Will Join Fight Against Street Gangs,” *Detroit News*, August 21, 1976.

Teamsters, too, showed their willingness to get involved, announcing a program to have local truck drivers alert authorities about disabled motorists using CB radios.<sup>109</sup> At the same meeting, Battle declared that organized labor planned “to formulate a program to assist the mayor and law enforcement officials in making our streets safe. Gang violence has no place in Detroit.” The article reporting on the meeting makes a point to note that Coleman Young attended the meeting for its duration, and mentions his bona fides as “a union organizer of public employees for the old CIO in the 1940’s.” It had no way of knowing that Young would cross his first picket line, organized by public employees in the SEIU, less than a month later.<sup>110</sup>

Given the high hopes members of the ailing New Deal coalition placed on Young’s inauguration of a new, tough-on-crime approach to the urban crisis of the 1970s, his response to the wildcat of the streets took on added significance. But the politics of this coalition from above were changing in important ways. Whereas in the past, as Remer Tyson noted, white liberals had to pay due diligence to civil liberties in any discussion of anti-crime measures, Young felt no such obligation. With the addition of women and African American officers, and with his victories in the residency and affirmative action disputes with the Detroit Police Officers Association, Young considered the department reformed. Moreover, he had begun to abandon his own

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<sup>109</sup> “Teamsters Join Freeway Crime Fight,” *Detroit News*, August 24, 1976.

<sup>110</sup> “Sad Young Crosses First Picket Line,” *Detroit Free Press*, September 10, 1976, Scrapbook, May-August 1976, Series VI, CAYC.

adherence to civil liberties protections, as evidenced by his support for the city council's introduction of a curfew and stop-and-frisk policies. Soon after the enactment of the curfew and stop-and-frisk laws, the ACLU decried them as unconstitutional. In effect, Vest Svenson, the organization's acting local chairman, said at the time, "this law applies only to young people who happen to be black and live on the east side."<sup>111</sup>

Circumstantial evidence bore out this assertion. Immediately after the enactment of the curfew, police chose not to enforce it at a downtown concert where the majority of attendees were white, although the concert took place at Cobo Hall.<sup>112</sup> Often, concert venues like Cobo hired private security rather than rely on city police officers, because concert promoters feared "that city officers might crack down on audience drug use during the concert."<sup>113</sup> On the night of the disturbance at Cobo Hall, 32 private security guards were in attendance.<sup>114</sup> Both city police and private security took a racially biased approach to enforcing the curfew. Meanwhile, 56 young people were arrested for curfew violations elsewhere in the city during the first two nights the law was in effect.

The curfew fight pitted the ACLU against that very same coalition seeking legitimacy through the criminalization of poverty, youth, and race these ordinances represented. June Brown and the *Detroit News* both supported the law in separate

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<sup>111</sup> "Curfew Unconstitutional," *Detroit News*, September 3, 1976.

<sup>112</sup> James Kenyon, Theasa Tuohy, Norm Sinclair, "Curfew Is Ignored at Cobo," *Detroit News*, August 20, 1976. Police spokespeople were careful to note, however, that black, white and "Hispanic" youth were arrested, as well as men and women.

<sup>113</sup> Blomquist, "Detroit Rehiring 450."

<sup>114</sup> "Teens Rampage," *Detroit News*, August 16, 1976.

editorials.<sup>115</sup> So, too, did the *Michigan Chronicle*, the city's African American newsweekly, running, among other things, an editorial cartoon by Robert Pious titled "For a Safe Community ... Teamwork."<sup>116</sup> Underneath the headline, Pious depicted three male figures labeled "courts," "police" and "communities." Arm in arm, they march against rats labeled "crime." The city's Law Department, along with the president of the Detroit city council, told newspapers they were "satisfied" that the curfew was legal.<sup>117</sup> Finally, staunch conservative columnist Pete Waldmeir inveighed against "bleeding hearts" like the ACLU unwilling to take the "drastic measures" necessary "to restore confidence in the city."<sup>118</sup> Thus, liberal city officials and the African American middle class found themselves adopting harshly punitive measures against black youth, and garnering crucial support from conservative whites in their endeavors.

Perhaps the signal event in the emergence of this rejuvenated coalition was a "March Against Crime" rally held in downtown Detroit just a month after the Cobo Hall incident. African American civil rights groups, not only the SCLC, NAACP, and Urban League but also groups like Larry Nevels's Unicom, had been inveighing against crime in the African American community with renewed vigor starting with Young's election. Members of a voter education project spearheaded an effort to use opposition to crime

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<sup>115</sup> "Detroit's Curfew Helps Revive Faith, Win Conventions for Frightened City," *Detroit News*, September 3, 1976; Editorial, "The Issue: Liberty vs. License," *Detroit News*, September 6, 1976.

<sup>116</sup> Robert Pious, "For a Safe Community...Teamwork," *Michigan Chronicle*, September 4, 1976.

<sup>117</sup> "ACLU Stand Against Curfew Is Criticized; City Insists It's Legal," *Detroit News*, September 7, 1976.

<sup>118</sup> Pete Waldmeir, "Bleeding-Hearts Off Base in Detroit Curfew Protest," *Detroit News*, September 6, 1976.

to cohere community groups a year earlier, suggesting that in the era of African American political power, efforts to stem crime were closely tied to buoying up electoral successes.<sup>119</sup> The Cobo Hall incident again revived these concerns. Shortly after, African American civil rights groups announced the formation of a “Coalition to Resist Crime” that included a broad swath of community organizations.<sup>120</sup> These included the NAACP, the Urban League, and the Michigan chapter of the SCLC, led by Claud Young, a long-time veteran of the civil rights movement and cousin of Mayor Coleman Young. Together with business and community groups, they sought to mobilize civil rights tactics against the perceived crime wave gripping the city.

Like the earlier attempt to link opposition to crime to electoral success, this coalition had another target. The article announcing the coalition’s formation suggested the stakes: “Coalition is taking aim at crime; Blacks see rights gains lost to thugs.”<sup>121</sup> With that, it succinctly captured what African Americans political elites believed was at stake in the struggle against crime — the gains won through decades of African American political organizing were being challenged by and lost to youthful “thugs.” “Because of crime,” Claud Young remarked while announcing the formation of the coalition, “the advantages we did win in the civil rights struggles of the 1960’s have practically been erased.” The remade New Deal coalition was determined that this not

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<sup>119</sup> Agnes Stewart, “Walk, Rally To Stem City Crime Sunday, Monday,” *Michigan Chronicle*, August 30, 1975.

<sup>120</sup> “Form Coalition Against Crime,” *Michigan Chronicle*, August 21, 1976.

<sup>121</sup> Theasa Tuohy, “Coalition Is Taking Aim At Crime; Blacks See Rights Gains Lost to Thugs,” *Detroit News*, August 12, 1976.

happen. In the process, however, it exacerbated a class cleavage within the black community between those increasingly tasked with managing and policing the distribution of social wealth and those subject to that policing even as dramatic economic changes unsettled established life paths. By attempting to discipline one portion of the black community to the changing circumstances of urban economies in places like Detroit, the political elite within the African American community distanced itself from an increasingly precarious generation of young people.

The “March Against Crime” demonstrated how African American political elite sought to impose a new social and economic order upon unemployed black youth in the city. Mayor Young and members of City Council led the march in downtown Detroit, joined by about 2,000 marchers, and flanked by Police Commander James Bannon, bullhorn in hand.<sup>122</sup> Bannon would join Young, City Council President Carl Levin, and Claud Young of the SCLC in giving speeches at the rally concluding the march. In his comments, Mayor Young acknowledged the relationship between unemployment and crime, but held a firm line on the city’s response. “Those who do wrong,” he declared, “will be held responsible for their actions.” The march concluded with verses from “We Shall Overcome.” Singing this song at the gathering and dividing time at the speakers’ podium among the SCLC, the mayor, city council members, and high-ranking police officers suggested that, though the institutions, history, and emblems of the civil rights

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<sup>122</sup> “Protest Marchers Zero In On Detroit’s Top Foe: Crime,” *Detroit News*, September 20, 1976.

movement infused the march, much had changed since its heyday. Whereas in the past, the movement marched against racist police and intransigent politicians, now the movement locked arms with the police and mayor in a united march against young people. It is no coincidence that the march concluded with an anthem of the non-violent phase of the black freedom movement. What would it look like at that time to invoke Black Power, to criticize the police, or to point out the daily violence in the black community that continued as African American police “prowled” the black community?

A few far-sighted people in the African American community recognized the perils of the anti-crime push. Ken Cockrel, veteran of the League of Revolutionary Black Workers and a prominent radical lawyer in the city, noted in a perceptive editorial in the *Michigan Chronicle* that the recession and accompanying crime wave had “relaxed somewhat” the black community’s “traditional vigilance against the encroachment of the police state.”<sup>123</sup> He noted that concern for the victims of crime was beginning “to override concerns to address the causes of crime, with advocates of the latter increasingly dismissed as ‘bleeding hearts.’ ” “This kind of atmosphere,” he said in an apparent dig at Coleman Young, “makes life very comfortable for politicians whose bosses ask of them only that they insure that the reservation be policed.” Another radical voice attempting to inject a note of caution into the anti-crime fervor overtaking the African American community was that of Shango. One of the Attica brothers,

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<sup>123</sup> “Ken’s Commentary,” *Michigan Chronicle*, February 1, 1975.

Shango wrote a series of guest columns for the *Michigan Chronicle* in November, 1975, urging those eager to march against crime to “know against whom you are marching.”<sup>124</sup> “The FBI, CIA, LEAA, et al,” he said, “have always focused the bulk of their attention and a large chunk of their seemingly limitless budget on attempting to destroy any effort to unify the people against the status quo. Know against whom you are marching.”

Shango, too, pointed out the growing divide in the black community. He depicted it as a generational one, and suggested that the failure of black power itself, the failure to achieve meaningful institutional control over black social and political life, exacerbated this tension. “We know that we do not control real power; not in our communities, not in the nation. If this is so, then how can you expect your children to respect and love you if you allow a ‘stranger’ to come into your house and discipline them while you look on and even dare support such a stranger?” Shango posited a powerful vision for a new society that involved a redistribution not only of social wealth but decision-making power. “Black people must judge their own if they are to be judged,” he said. But lest this be confused with Young’s ascension to power, Shango introduced a radical twist. “We must take control of the courtroom to adjudicate our people’s actions,” he said. “Black people must take control of all punishment against our own if they are to be punished, meaning we must make those decisions collectively if they are to be made and in the absolute best interests of our people.” The words resonated with the insight into

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<sup>124</sup> “Like It Really Is,” *Michigan Chronicle*, November 1 and November 8, 1975.

informal work groups that Stan Weir had when he was working in an auto factory. "One night when one guy stole something fairly big (from the plant), I told him off. By stealing he was risking his job and he risked us losing a valuable member of our group," Weir wrote. "That was irresponsible not only to his family, but to us who were his family at work. It was the most meaningful kind of politics that one could talk about and be involved in."<sup>125</sup> In spite of the racial barrier Coleman Young breached to become the city's first African American mayor, and the tremendous redistribution of social and political power this entailed, his administration was yet a government *for* the people rather than one *of or by* the people. Shango and Stan Weir raised the possibility of an alternative distribution of decision-making power while at the same time Shango cautioned the civil rights establishment against marching with the police against young people.

A prescient letter to the *Detroit News* by a concerned citizen explored the same issues with uncommon sensitivity and clarity.<sup>126</sup> In his letter, Arthur Shelton appropriated the "victim's rights" terms then common and reclaimed them, casting young people themselves as victims. "If we are going to really solve the problem," he suggested, "we have to come to understand what has been done to the young people of our city and of the nation." Casting the formation of young gangs in a different light, he

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<sup>125</sup> Weir, 248.

<sup>126</sup> "Long-Range Answer to Crime: City's Young People Need Hope," *Detroit News*, June 27, 1976.

suggested that, “drop-outs have no place to go so they go to each other and share their frustrations with life ... they roam the streets together for protection and strength.” He noted exorbitant unemployment, and the experience of watching brothers fight in Vietnam “to defend a way of life which has provided them either no life at all, or a poor one at best.” When they returned, young people saw those same brothers, “now imprisoned in a system which keeps them poor, imprisoned in the ghetto with no job and no hope.” And he concluded with a prophecy;

The leaders and the people of this city must deal with the frustrations, which cause these people to act the way that they do. The future of this city does not in the end depend upon the Renaissance Center. It depends upon these young people. Unless we can give them hope the center with its high wall will stand alone in the midst of a devastated city.

This was to be Detroit’s fate in the years to come. Those officials never dealt with, never were able to deal with, the problems confronting an entire generation of young people in the city center. When those same youngsters rebelled against their own wretched condition, against the growing uncertainty they faced, against their increasingly bleak options, the response was one that we are now all too familiar with — the criminalization of poverty, youth, and race.

## ***Conclusion***

In spite of the increasing, and increasingly callous, calls for a swift and punitive response to this outburst of juvenile crime, the results were decidedly mixed. On the one hand, the outbreak of juvenile crime served as an occasion to coalesce the shaky New Deal coalition through a united response to juvenile crime. Harsh curfew laws and stop-

and-frisk statutes were easily passed and soon became permanent.<sup>127</sup> In these circumstances, African American's "traditional vigilance against the encroachment of the police state" was replaced by a willingness to embrace punitive responses to juvenile crime that disproportionately affected black youth.<sup>128</sup>

And yet, some of that skepticism remained. When a mostly black jury found the defendants in charges stemming from an alleged rape at the concert not guilty in April 1977, they cited police misconduct as the main reason for the verdict. After the verdict, Coleman Young " 'dared' criminals to find encouragement" in it, and vowed that it would have " 'no effect whatever' on city efforts to rid the streets of youthful crime."<sup>129</sup> With that, the last skirmish in the "Battle for Detroit" came to an end, with casualties on both sides. Its legacy for the future was its contribution to re-stabilizing the New Deal coalition as well as alienating a large sector of African American youth from this same coalition. With no clear victory on either side, the battle for the future of Detroit moved on to a different stage in years to come.

In the lives of the city's youth, then, we see a double motion. Estranged from social spaces by official policing efforts and white racial violence from below, expelled from factories by their southward momentum and the epochal changes that the 1970s inaugurated, young people incorporated themselves back into those spaces through a

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<sup>127</sup> Thesa Tuohy, "New Detroit Curfew Called 'Permanent,'" *Detroit News*, October 19, 1976.

<sup>128</sup> Ken Cockrel, "Ken's Commentary," *Michigan Chronicle*, February 1, 1975.

<sup>129</sup> "Young Warns Hoods About Detroit Trials," *Detroit News*, April 28, 1977.

form of organization similar to informal work groups that emerged in traditional workplaces. They defied the police, often for sport, and they organized their own informal economies through neighborhood bonds. As they grew older, with dwindling prospects of factory employment, many harnessed those social bonds toward more lucrative endeavors in the informal economy. Their coming of age corresponded to the highest number of incarcerated people the state of Michigan had ever seen but would become familiar with in the decades that followed. In the 1970s, though, the more pressing problem for elected officials, policy makers, and the political elite that purported to represent the people of Detroit — civil rights organizations and unions — was the proliferation of young people organized in cliques who may have lacked a particular political program but possessed a strong sense of their equal right to the wealth society produced.

## Chapter Four. “Rebellion Has Come of Age”: James Lincoln and the Emergence of Punitive Juvenile Justice in Detroit

“After 16 years of working in an inconspicuous court, Judge James H. Lincoln has become one of the hottest personalities in the state.”<sup>1</sup> So began a 1976 profile in the *Detroit Free Press* that appeared in the weeks following the Cobo Hall incident.

As policy experts sought answers to the “teen crime wave” then dominating headlines, Judge Lincoln provided clear, forceful answers in his own long-cultivated homespun vernacular. It made great press, and Lincoln was rarely inconspicuous during his tenure at the Wayne County Juvenile Court. Indeed he had, almost from the moment of his initial appointment to the court in 1961, engaged in heated partisan disputes. At the center of those disputes was Lincoln’s commitment to the procedural reforms that characterized liberal law and order. Those reforms sought to introduce a greater adherence to the rights of all U.S. citizens into courtrooms and police departments that Cold War tensions with the Soviet Union were exposing as far from fair. At the same time, the overall purpose of those reforms was to restore legitimacy to the practice of both of these institutions. With his reforms to the Detroit Police Department, Coleman Young sought to establish its legitimacy in the eyes of the African American community, which had borne the brunt of its biased practice throughout the twentieth century. With

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<sup>1</sup> Thomas Fox, “Juvenile Court Judge Leaps Into Limelight,” *Detroit Free Press*, September 7, 1976.

those reforms accomplished, Young pursued with renewed vigor the causes of social instability in the Detroit of the 1970s. Young's reforms converged with Lincoln's in the population both targeted with their reformed institutions: poor and working class African American youth at the forefront of the dramatic economic changes descending on the city.

Like Young, Lincoln was an important figure in the field that marked his purview. Throughout the 1960s and 1970s, his opinion was sought at local, state, and federal levels, and Lincoln gave public statements to the Detroit City Council, the Michigan Legislature, and the United States House of Representatives.<sup>2</sup> In 1967, Lincoln presided over perhaps the court's most turbulent week, as Detroit was engulfed in flames, and juvenile arrestees flooded the court. Less than two months later, Lincoln testified before a Special Committee on Crime of the Michigan State Senate of which Coleman Young was a member.<sup>3</sup> A year later, he published a book analyzing his experience and making policy recommendations for future disturbances.<sup>4</sup> He parlayed these experiences, and the cache of single-handedly running one of the largest juvenile courts in the country, overseeing more than one percent of the entire nation's juvenile

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<sup>2</sup> Statement to Detroit Common Council in Detroit Concerning School Problems in the City of Detroit," March 23, 1970; Statement to Michigan House of Representatives Committee on Juvenile Corrections, May 20, 1963; Statement to Special Committee on Crime of the Michigan State Senate, September 20, 1967; Statement to General Subcommittee on Education Concerning H.R. 6162, made in behalf of the National Council of Juvenile Court Judges, May 10, 1967; all in folder "Statements and Speeches, 1960-1967," Box 4, James H. Lincoln Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI (hereafter JHLP).

<sup>3</sup> Statement to Special Committee on Crime of the Michigan State Senate, September 20, 1967.

<sup>4</sup> James Lincoln, *The Anatomy of a Riot: A Detroit Judge's Report* (New York: McGraw-Hill, 1968).

delinquency and neglect cases, into the presidency of the National Council of Juvenile Court Judges in 1971.<sup>5</sup> In that capacity, he addressed a National Conference on Corrections at the invitation of President Nixon's Attorney General, John Mitchell. Upon his retirement as juvenile court judge, Lincoln was even offered the position of Administrator of the Office of Juvenile Justice and Delinquency Prevention by the Carter Administration, a position he ultimately refused.<sup>6</sup> Indeed, Lincoln's tenure at the Wayne County Juvenile Court even resulted in a Supreme Court ruling drawing on evidence from his court in its *McKeiver v. State of Pennsylvania* decision in 1971, which ruled that juveniles were not entitled to a trial by jury.

Lincoln's position on juvenile delinquency changed markedly throughout the period of his tenure as juvenile judge, from 1960 to 1977. The turning point was 1967, as the violence that engulfed the city in flames set fire to his rehabilitative vision. That was also the year the Supreme Court issued its *in re Gault* decision, extending many of the protections of the adult criminal justice system to the juvenile court, in particular the right to an attorney. Though Lincoln initially greeted the ruling warmly — he had introduced similar procedural reforms in how the police handled juvenile defendants years before — he soon soured on the reforms, which also circumscribed the paternalistic approach of juvenile court judges. During his tenure as juvenile court

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<sup>5</sup> James H. Lincoln, "Remember the Good as Well the Bad," *Juvenile Court Judges Journal* 22 (1971), 26.

<sup>6</sup> Henry Dogin to James Lincoln, July 26, 1979, folder: "Probate Court Correspondence, 1975-1980," Box 3, JHLP.

judge, Lincoln became increasingly skeptical of civil rights protest. Lincoln's changing position owed much to the increasingly militant pursuit of civil rights in a northern and urban context, and his own unease with the methods Black Power militants used to achieve those rights. As the southern movement pursued direct action as a frontal assault on Jim Crow in the South, northern activists embraced those same tactics. In the process, any distinction between civil rights activism and criminal activity for Lincoln effectively collapsed. This development coincided with a parallel development that saw the racial valance of juvenile delinquency change. From mostly white youth deemed "maladjusted" and hence capable of rehabilitation through the court's normative framework, a sense that African American youth charged with juvenile crimes were juveniles "in name only" began to appear. In this context, it was not rehabilitation but its complement that Lincoln began to prefer — incarceration. Lincoln's embrace of incarceration, finally, intersected with a growing tendency across the country to redefine the victims that were the subject of Truman's declaration of a "first civil right." From the victims of white vigilante violence in the streets and the racial bias of judges at all levels of the criminal justice system, the victim to whom the "first civil right" granted "freedom from fear" became the victim of street crime at the hands of African American youth.

Lincoln's response to the social changes wrought in the 1960s and 1970s was not unique. When he intervened in a War on Poverty program opposite his juvenile hall in

order to introduce greater surveillance of its participants in 1966, Lincoln obeyed an impulse that characterized the War on Poverty from its outset. Two years earlier, Lyndon Johnson chided Barry Goldwater for his opposition to Johnson's War on Poverty program, arguing that it was, in effect, an anticrime program. "There is something mighty wrong," Johnson said, "when a candidate for the highest office bemoans violence in the streets but votes against the War on Poverty, votes against the Civil Rights Act and votes against major educational bills that come before him as a legislator."<sup>7</sup> This is evident locally as Lincoln embraces punitive measures to counter juvenile delinquency. "Many poverty programs were of doubtful value in changing matters in the large slum areas in major cities," Lincoln wrote to his brother in 1973.<sup>8</sup> "Some of these programs were little short of bribes to troublemakers." As the Nixon administration began to curtail these War on Poverty programs, Lincoln predicted the policy response that would follow. "The massive slum areas remain as open sores," he said. "The elimination of Federal programs from these areas simply shifts the emphasis from dissipating the pressure to containing the pressure." Lincoln had no doubts that

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<sup>7</sup> Cited in Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010), 45-46. Other scholars have also noted the confluence of the social strictures that combined the War on Poverty and War on Crime. See Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham, NC: Duke University Press, 2009); Frances Fox Piven and Richard Cloward, *Regulating the Poor: The Functions of Public Welfare*, Updated ed. (New York: Vintage Books, 1993); David Garland, *Punishment and Welfare: A History of Penal Strategies* (Brookfield, VT: Gower, 1985); Michel Foucault, *Discipline and Punish: The Birth of the Prison*, 2nd ed. (New York: Vintage Books, 1995); and Elizabeth Hinton, "'A War Within Our Own Boundaries': Lyndon Johnson's Great Society and the Rise of the Carceral State," *Journal of American History*, forthcoming (Summer 2015).

<sup>8</sup> James Lincoln to George Arthur Lincoln, April 2, 1973, in folder "Probate Court Correspondence, 1970-1975," Box 3, JHLP.

pressure could be contained. But he was skeptical of its long-term viability. “Without a considerable reducing of the pressure, there will certainly, at some point in time, be some similar explosions as the 1967 riots.” But Lincoln underestimated the explosive rise in prison populations that would serve to contain the pressure descending on cities like Detroit across the country.

### ***Lincoln’s Early Views on Juvenile Justice***

At the outset of his career, James Lincoln was committed to a rehabilitative approach to juvenile justice rooted in the informal, non-adversarial and non-criminal procedures that informed the creation of a separate juvenile court during the Progressive Era.<sup>9</sup> Lincoln was well aware of this history. Shortly after taking the bench, he wrote a short history of the juvenile court in Michigan outlining these developments.<sup>10</sup> He praised the system as “the first legal tribunal where the law works side by side with the sciences which deal with human behavior.” This marriage of law and the human sciences was a hallmark of Progressive Era reforms to criminal justice. Lincoln singled out for particular praise the casework method, “by which the child is treated individually in relation to his whole environment.” Doing so was unique to the juvenile court, Lincoln argued, distinguishing it favorably from the adult court. Rather

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<sup>9</sup> For a discussion of the emergence of the juvenile court in the Progressive Era, see Daniel A. Ross, “Rethinking the Road to Gault: Limiting Social Control In The Juvenile Court, 1957-1972,” *Virginia Law Review* 98, no. 2 (April 1, 2012): 425–77.

<sup>10</sup> “Statement to Constitution Convention Committee on Judicial Branch,” December 5, 1961, in folder “Statements and Speeches, 1960-1967,” Box 4, JHLP.

than viewing juveniles as criminals, the young people appearing before Lincoln, “are considered to be boys and girls who have become maladjusted.” Moreover, these young delinquents required “special care, protection and understanding” as well as “proper supervision and guidance.” These comments suggest the normative dimension of juvenile penology, using status offenses — underage drinking, smoking, sexual activity, or truancy — to enforce a set of middle-class, and often white, aspirations among youth charged with those offenses. The incorporation of the human sciences into the legal framework and a corresponding individualization of treatment, youth viewed as “maladjusted” and not criminal, the centrality of education and its attendant race and class biases, a paternalistic disposition — all these characterized the Progressive Era’s rehabilitative approach to juvenile penology. So committed to this approach was Lincoln in his early years that he went so far as to suggest that “*not to place jurisdiction over juveniles in a non-criminal, non-adversary court by constitution provision is for children what removing the Bill of Rights from the Constitution would be for adults*” (emphasis in original). The comparison is apt. In later years, as the revolutionary movement in Detroit gained influence, the normative bias within Progressive penal reform — the criminalization of poverty, youth, and race — began to outweigh for Lincoln the benefits of its procedural reforms. When the Warren Court’s *Gault* ruling introduced attorneys into Lincoln’s Juvenile Courtroom in 1967, Lincoln said it had gone “far enough.”<sup>11</sup>

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<sup>11</sup> James Lincoln, “Remember the Good as Well the Bad,” *Juvenile Court Judges Journal*, Vol. 22, No. 2 (Summer

Lincoln's own pursuit of a middle-class normativity through his position as adjudicator in state adoption cases was evident in the adoption policy he implemented.<sup>12</sup> Lincoln vigorously pursued several innovations in Michigan adoption precedent during his tenure as juvenile court judge, including allowing single men to adopt children and allowing cross-racial adoptions. Allowing unmarried people to adopt children was a recent innovation. When Lincoln allowed the first single man to adopt a child, there were only seven instances in the Detroit area of single women adopting children. In that instance, Lincoln approved the application of a military veteran and high school teacher with a master's degree who had served for seventeen years on the executive board of the Michigan Education Association and was at one time its president. He also liked fishing. And while interracial adoption was not unprecedented, the ability of African Americans to adopt white children in Michigan was still a contentious issue thirty years later.<sup>13</sup> In the meantime, social protest on the basis of the latent racial normativity involved in white families adopting black children had brought to a near-halt the practice Lincoln championed.

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1971), in folder "Law Journal Articles, 1963-1987, Box 1, JHLP.

<sup>12</sup> Ruth Carlton, "Adoption - and the Controversy," *Detroit News*, July 23, 1967; Ruth Carlton, "Adoption Revolution - Old Barriers Fall," *Detroit News*, February 8, 1970.

<sup>13</sup> Jack Kresnak, "Black Mom, White Child? Judge Says Only Love Matters," *Lakeland Ledger*, April 18, 1998 <http://news.google.com/newspapers?id=Xk5IAAAAIBAJ&sjid=Nf0DAAAIBAJ&pg=6539%2C5195033> (accessed February 3, 2015).

Lincoln also included in his history of Michigan's juvenile court what would become his signature recommendation for reform, increasing institutional space. The availability of institutional space was Lincoln's chief concern at this time. Citing the lack of personnel and facilities as the cause of ninety-five percent of the problems facing juvenile courts in Michigan, Lincoln recommended the timely completion of the state's Boys Training School (BTS) in Whitmore Lake, the creation of additional boys camp facilities, and the expansion of the Girls Training School as initial steps to alleviate this shortage. Lincoln repeated many of the same themes in a 1963 article that appeared in the Parke-Davis Review.<sup>14</sup> "Juvenile court," he noted, "is the institution designed by law to rehabilitate juveniles *after they get into trouble*. Its purpose is clearly rehabilitation, not prevention." But the court faced a serious impediment to achieving this purpose. This was the state's lack of long-term treatment facilities. Given this, Lincoln suggested, "Every community has as much delinquency as it wants." The State of Michigan, he concluded, must want the amount of delinquency it had, because it again and again prioritized infrastructural projects such as expressways over the facilities he recommended.

Lincoln's advocacy of more institutional space in this period reflected his commitment to Progressive Era approaches to penal reform in several ways. It

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<sup>14</sup> James Lincoln, "Deciding a Youngster's Fate," *Parke-Davis Review*, January-February, 1963, in folder, "'Deciding a Youngster's Fate' in Parke-Davis Review," Box 1, JHLP.

highlighted education for Progressive reformers as perhaps the most important tenet of their approach. For this reason, Lincoln cited at length a resolution passed in 1962 by the National Council of Juvenile Court Judges (NCJCJ) asserting a causal link between elevated high school dropout rates and increased rates of juvenile delinquency. Both could be reduced, the NCJCJ argued, through a “major re-evaluation” of the U.S. educational system. Doing so, Lincoln added, would require supporting schools “as they have never been supported before.” “If there is any other way of making any real impact on the problem presented by 7,800,000 high school dropouts,” he concluded, “I haven’t heard of it.” Lincoln’s impassioned support for education as a way to combat juvenile delinquency was at the core of a dispute he later had with Michigan Governor George Romney over funding the Whitmore Lake training school. It also contextualized his fierce opposition to the high school disturbances that emerged in Detroit following the upheaval of 1967.

Lincoln’s advocacy of more institutional space at the same time reflected the normative bias within Progressive penal reform, and foreshadowed the course of his future approach to juvenile penology. While Lincoln implicated the state of Michigan as a whole for its tepid commitment to combating juvenile delinquency, another community was also implicated. The NCJCJ resolution Lincoln cited argued that, “the causes of school dropouts are numerous; a major cause being the fact that many children are raised in culturally deprived homes.” The NCJCJ’s resolution drew on well-known

works like Gunnar Myrdal's *The American Dilemma* when it suggested that inner-city homes, in particular those of African Americans, produced juvenile delinquency at disproportionate rates. A similar assumption informed Lincoln's assertion, at the beginning of his *Parke-Davis* article, that "delinquency in children is a pretty accurate mirror of actions, attitudes and values of our adult population." Moreover, Lincoln said, "I am convinced that *each community has as much delinquency as it wants*. In short, delinquency is a mirror of the adult population of a community quite as much and perhaps more than it is a measure of the juvenile population" (emphasis in original). For Lincoln, juvenile delinquency reflected not only a community's fiscal priorities, but also the culture, actions, attitudes and values of those communities that contributed a disproportionate amount of delinquents.

With his mirror metaphor, Lincoln conflated Progressive Era juvenile reforms with the liberal law-and-order sentiment inaugurated by President Harry S. Truman at the outset of the Cold War. In the aftermath of a gang skirmish on the city's west side in 1962, Lincoln chided parents for allowing the disturbance to occur. "Ultimately," he said, "the responsibility rests with you — the parents — to put some clamps on your kids." When it came to rapidly integrating neighborhoods riven by racial violence, historian Thomas Sugrue agreed with Lincoln. "Juveniles played an essential role in the defense of their neighborhoods against black encroachment," he noted, adding, "their

actions mirrored the animosities of adults.”<sup>15</sup> Though the papers were careful to avoid mention of the incident as a racial conflict, its location in relation to the city’s changing racial landscape spoke volumes. The article noted that the incident took place in the Grand River and Oakman area of the city, and involved students at Tappan Junior High School and Mackenzie High School.<sup>16</sup> According to an Urban League study, Mackenzie High School was one of the four Detroit high schools that experienced the most rapid racial success in the first half of the 1960s.<sup>17</sup> From 1961 to 1964, the percentage of African American students attending Mackenzie more than doubled, from 40.2 percent to 63.9 percent. Two years later, almost 72 percent of the Mackenzie student body was African American. Lincoln alluded to mounting residential tensions associated with desegregation when he told parents, “You’ll have to take a firm stand on the question of fighting with your neighbors if we’re going to live together as a community.” Lincoln distanced himself from the practice of racist violence by white homeowners in this article, and aligned himself with the liberal law-and-order proscription against unregulated violence against black bodies in the streets. Over the course of the 1970s, Lincoln’s reform impulse sought to reinscribe the boundaries of legitimate state violence, disappropriating from white vigilantes their resort to violence, and

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<sup>15</sup> Thomas Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (New Jersey: Princeton University Press, 1996) 253-54.

<sup>16</sup> James Kerwin, “Judge Lincoln Tells How to Break Juvenile Gangs,” *Detroit News* February 8, 1962.

<sup>17</sup> “A Profile of the Detroit Negro, 1959-1967,” December 1967, Folder “Research Reports; 1967 Reports; Profile of the Detroit Negro (1959-1967),” Box 65, Detroit Urban League Records (DULR), Bentley Historical Library, Ann Arbor, MI.

appropriating for the state the violence inherent in maintaining social order. Soon after his statement on juvenile gangs, Lincoln sought also to put the practice of police violence on a firmer footing by circumscribing it. In a 1963 memorandum, Lincoln recommended a series of procedural regulations to guide police involved in the arrest of juveniles. The memorandum was posted on police bulletin boards and “read several times to all Detroit Police.” Lincoln wrote the memo following an incident in which a 16-year-old boy claimed to have confessed to a crime only after being subjected to abuse by police at the precinct.<sup>18</sup> The incident threatened to undermine public trust in the department, and for that reason Lincoln reiterated the procedural guidelines police should follow during juvenile cases. These included a prompt appearance before the juvenile court, a stipulation that a statement only be given in front of the juvenile court, the juvenile court determining the circumstances under which a juvenile give a statement, and a prohibition against presenting juveniles for identification by witnesses except in the juvenile home. Here, Lincoln introduced the procedural revolution the U.S. Supreme Court under Earl Warren had only recently inaugurated, granting criminal defendants the constitutional protections they enjoyed at the federal level in state courts. In keeping with the liberal law-and-order framework, this criminal procedure revolution sought to curtail the practice of racial bias by Southern states after the formal abolition of Jim Crow criminal justice following the Court’s *Brown v. Board of Education* ruling in 1954.

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<sup>18</sup> Memorandum, July 18, 1963, Notebook III, Box 6, JHLP.

Another important development that contributed to Lincoln's understanding of juvenile delinquency as a "mirror" was the changing racial valence of juvenile delinquency. At this time, a perceived rise in juvenile delinquency intersected with the civil rights movement to shift the perception of juvenile delinquency away from leather-jacketed white youth to African Americans. Historian Andrew Diamond notes this shift in the context of another Midwestern industrial center fallen on hard times, Chicago. In *Mean Streets: Chicago Youths and the Everyday Struggle for Empowerment in the Multiracial City, 1908-1969*, Diamond traces the long history of young people organizing to defend "their neighborhoods, their rights, their identities, and their honor in working-class Chicago."<sup>19</sup> In the process, Diamond demonstrates how the racial cast of juvenile delinquency changed from the 1950s to the 1960s, with the rise of civil rights protest and then black power militancy. In the 1940s and 1950s, working-class white youth were the vanguard of the white community response to the legal collapse of integration in northern cities.<sup>20</sup> Examining the occupational data of participants in two anti-black mobs in Chicago in the 1950s, Diamond found that white men in their late teens and twenties were most likely to participate, and their employment, when they were employed, consisted of semiskilled and unskilled positions. It was in response to this violence that African American youth organized themselves into youth gangs, a phenomenon that

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<sup>19</sup> Andrew J. Diamond, *Mean Streets: Chicago Youths and the Everyday Struggle for Empowerment in the Multiracial City, 1908-1969* (Berkeley: University of California Press, 2009), 13-14.

<sup>20</sup> *Ibid.*, 172-73.

Mike Davis also observed in Los Angeles in the same period.<sup>21</sup> With the migration of the civil rights struggle to northern environs, black youth who organized in gangs became an alluring target of civil rights groups organizing in Chicago. They were already organized, and groups like the SCLC often found a useful place for youth gangs well versed in street fights alongside their protests.<sup>22</sup> Unorganized young African Americans, Diamond notes, were instrumental in early efforts to assert a right to public space in recreational settings in the north, a phenomenon that also occurred elsewhere.<sup>23</sup> These coalitions were marked by tensions, but found a common footing in the late 1960s by organizing around the central institution in young people's lives: schools. That schools would cohere this kind of resistance is suggestive, as they, like the juvenile courts, performed a normative function in the lives of African American youth. Indeed, that function was one of the chief sources of activism against the schools, seeking to replace outmoded curricula and faculty often openly hostile to African American youth. But this same activism, alongside frequent street fights between black and white gangs and, as white flight accelerated, among themselves, contributed to a growing perception that juvenile delinquency was chiefly a problem among African American youth.

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<sup>21</sup> Mike Davis, *City of Quartz: Excavating the Future in Los Angeles*, New ed. (London; New York: Verso, 2006), 293.

<sup>22</sup> Sometimes this was literally true, as when members of the Blackstone Rangers in Chicago brought baseball gloves to an SCLC demonstration to catch the offal thrown by white counter protesters. Diamond, 270.

<sup>23</sup> *Ibid.*, 228. For an examination of the same phenomenon in Buffalo, see Victoria W. Wolcott, "Recreation and Race in the Postwar City: Buffalo's 1956 Crystal Beach Riot," *Journal of American History* 93, no. 1 (June 2006): 63–90.

Several incidents demonstrate how Lincoln's own perception of juvenile delinquency began to shift in the 1960s. In 1964, Lincoln ordered the release at 3 a.m. of a group of juveniles arrested during a picket organized by the NAACP at a local supermarket. The picket line sought to put pressure on Charles Wilson, a prominent local businessman, and what it considered racist hiring and loan policies at a local bank. When police arrested one juvenile on a charge of assaulting a police officer, nine others sat in front of the police car to prevent the arrest, and were also arrested. The NAACP charged police intimidation of their picket line as the cause of the fracas, noting that the police hardly gave picketers room on the sidewalk to maneuver. The group considered the arrests a "serious abuse of the rights and dignities of these young people." Like Lincoln's introduction of procedural protections for the handling of juvenile defendants, the incident suggested the dangers an intemperate police department posed to social order. Perhaps for this reason, Lincoln showed restraint in releasing the juveniles. He took a much less sanguine approach two years later, however. Following a sit-in at a home on Hobart Street that pitted workers hired to condemn a home against a multiracial group of residents and local ministers opposed to the eviction, Lincoln revived his "mirror" imagery in a different context. "It used to be that sin was sin and that good and evil were well-defined concepts," he said.<sup>24</sup> "But that is no longer true."

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<sup>24</sup> Richard Ryan, "Urges Stricter Curbs for Young Offenders," *Detroit News*, November 27, 1966. See also "Residents, Workers Feud in Condemnation Fracas," *Michigan Chronicle*, September 24, 1966.

Lincoln argued that, “the question of what is right and what is wrong is no longer stable.” Hobart Street was one example of this, where, “ministers openly broke the law and defied police.” He again noted that delinquency was a “mirror” of the adult population, as he had in his article in the *Parke-Davis Review* three years earlier. But in this context, it acquired still more racial connotations. The multiracial protest also implicated the rising social justice imperative in the white community. Without proper leadership, Lincoln implied, it was little wonder that youth were becoming increasingly wayward. Add to that the corrosive influence of modern television advertising, as Lincoln indeed did, and a bleak picture emerged in which, “there no longer is any such thing as respectable poor people.” What particularly incensed Lincoln about the Hobart Street demonstration, the *Detroit News* said, was that ministers “openly defied the law and defied police.” These comments undermined the legitimacy of the Hobart Street protesters’ demands, while at the same time strengthening the link between civil rights protest and criminality emerging in this period. Lincoln sought to keep that protest within legal channels, while the social pressures of the period seemed to work against him.

Perhaps the most telling incident in the evolution of Lincoln’s views on juvenile delinquency occurred across the street from the juvenile court where Lincoln presided.<sup>25</sup>

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<sup>25</sup> Details for the Krakow Club incident from the following sources: “Krakow Club Gets New Lease,” February 23, 1966; Press Release, December 15, 1965; Mrs. L.G. Auberlin to Jerome Cavanagh, January 24, 1966; Philip Rutledge, Report to Common Council, February 21, 1966; Bill Porterfield, “So...Who’s Right?”

There, the city's Total Action Against Poverty Program, a local manifestation of the Johnson Administration's War on Poverty, had acquired a home from a local businessman and created a clubhouse for what was once "one of the toughest of the predatory gangs in Detroit's inner city." Christopher Alston, the TAP official working with the Krakow Gang, had grown up in the neighborhood and saw the city's anti-poverty program as an opportunity to convince the area's young people to "go straight." To that end, Alston acquired the house opposite the juvenile hall, as well as donations from a local businesswoman to outfit it, and the gang, now calling itself the Krakow Club on Alston's recommendation, began using it as a social space. But three weeks after a favorable profile of the Krakow Club's reform, and the role of TAP in it, seven

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The Krakow Gang: An Unfinished Tragedy," *Detroit Free Press*, February 20, 1966; Bill Porterfield, "The Krakow Gang Talks; Anger Spills Out," *Detroit Free Press*, February 21, 1966; List of Members of Krakow Club Employed at World Medical Relief; Memorandum to Common Council, December 9, 1965; Progress Report of the Western Community Action Center, Mayor's Committee, Total Action Against Poverty, Vol. 1, No. 8, December 1965; Employees in Juvenile Court Building to Ray Girardin, December 3, 1965; Joseph Strickland, "Aimless Lives Find Direction; Tough Gang Heads for Good Citizenship," *Detroit News*, November 7, 1965; "Poverty War 'Wards' Seized; Police Assailed," *Detroit News*, November 26, 1965; "Sift Arrests of Youths From Club," *Detroit News*, November 27, 1965; Joseph Strickland, "Former Gang's Clubhouse Gets Visit by Mrs. Romney; Support Pledged," *Detroit News*, December 2, 1965; Don Beck, "Gang's Reform Bid Shattered," *Detroit Free Press*, December 3, 1965; Editorial, "Bureaucratic Hostility Won't Aid the Krakows," *Detroit Free Press*, December 4, 1965; Don Beck and Robert De Wolfe, "Illegal Arrests Claimed In Raid on Youth Gang; Police Official Orders Probe," *Detroit Free Press*, November 27, 1965; "Where Did Boys' Money Go? Police Raid on Krakow Club Draws Wide Criticism; Members Claim Police Continue Harassment," *Michigan Chronicle*, December 4, 1965; John Gill, "So Much to Live Down, Youths Try to Live It Up," *Detroit News*, December 8, 1965; Don Beck, "Judge Lincoln Attacks Krakow Gang Activity; Hints Clubhouse Is Crime Center," *Detroit Free Press*, December 6, 1965; Gus Harrison, "Chief of Corrections Defends Krakow Stand," *Detroit Free Press*, December 9, 1965. All of the preceding located in Folder 16, Box 12, Mel Ravitz Collection, Archives of Labor and Urban Affairs, Wayne State University, Detroit, MI. See also Lawrence Gareau, "Dogs Eyed for Guards at County Parking Lots," *Detroit News*, January 24, 1967, and Max Simon, "Court Area Is Caged in Fear," *Detroit News*, January 24, 1967.

members of the group were arrested by police and charged with a series of burglaries in the area. Goods they had acquired through donations were taken as evidence, and a woman's coat and some money were never returned.

Lincoln insinuated to local papers that the opening of the club's headquarters coincided with a rise in robberies and vandalism to cars belonging to juvenile court employees. Though the accusation served only to criminalize young people, if the tensions between juvenile court workers and the club were any indication, there may have been some truth to it. One of the Krakow Club members told reporters the last school he had attended was Lincoln's prized Boys Training School in Whitmore Lake. Given his age and the year he was released, Lincoln would have been the judge who sent him there. But there was also a class connotation to the animosity. "There's some people across the street," one of the club members told the *Detroit News*, "they wear white collars and think they got a little class and are better than some other people." Meanwhile, Krakow Club members worked blue-collar jobs, as painters, forklift operators, dishwashers, and at factories around town. Some were unemployed. Juvenile court employees expressed their own version of the tension in a way that presaged future developments. "Technically, it may be true that some of the rights of this group may have been infringed upon," read a petition court employees circulated shortly after the arrest of members of the Krakow Club. "But," they continued, "in turn, this very same group has infringed on the rights of law-abiding citizens in this area."

Counterposing the rights of law-abiding victims to the constitutional protections of defendants for whom the presumption of innocence appeared a mere formality would become typical of discourse surrounding law and order in the 1970s. The enmity between the two groups became particularly heated during an encounter between Alston and Lincoln. Appearing on behalf of one of the club members in juvenile court, Alston was called into Lincoln's office. "I thought I was going to be commended for my work by a judge who has a reputation for being a liberal," Alston told reporters, "but then, boom, he really gave it to me. I couldn't believe he was serious." Lincoln told Alston, "to get them out of the neighborhood, that they were just a bunch of criminals." "He was positively raving," Alston said, "in fact, I thought I'd have to physically defend myself." In a revealing parallel, one of the chief causes of concern for Lincoln was the harassment of female juvenile court employees during their walks to and from their cars. Two years later, as complaints of harassment persisted, Lincoln considered hiring guard dogs to patrol the court's parking lot.

For the time being, Lincoln recommended surveillance. "We feel that we'd like to have the place better supervised," Lincoln said, referring to himself and his employees. Lincoln's recommendation coincided with what appeared to the Krakow Club members as a campaign of harassment against them. "Seems like ever'time one of us pops off in the paper," one member said, "The Man sees it and comes knocking." "Joe Lofton was quoted in the papers," another reported. "Along come The Fuzz. They kicked in the

door and took Joe to the box (the police call box) twice in 12 hours. They finally got him for carrying a knife." Of course, surveillance was central to the function of the program from the start, and part of its appeal to city officials, TAP employees, and local business owners. L.G. Auberlin, the philanthropist who donated supplies to the clubhouse, owned a business shipping medical supplies to "needy" countries. Speaking to reporters about the benefits of the clubhouse, Auberlin said, "The police can see them; they have the counseling of Mr. Alston ... their activities are directed; they are looking for jobs and have jobs." It was for these reasons that Auberlin became involved in the Krakow Club, in spite of her reservations for the Democratic Party initiative. Another reason was the cheap labor she hoped to gain access to through her charity. She became indignant when Alston refused to order four members of the Krakow Club to take minimum wage jobs working for her charity, causing one reporter to remark, "In spite of her years and her generosity, Mrs. Auberlin is a very authoritarian woman. ... She is used to giving orders and having them obeyed." Krakow Club members were sensitive to her condescension. Alston had convinced them to overcome their skepticism and make an effort at reform. But after Auberlin demanded the Club return the items she donated, one club member remarked, "We thought this club was to help someone. Come to find out it was just a lot of publicity for people in Grosse Pointe [a wealthy suburb of Detroit] and the governor's mansion." In the end, surveillance was the answer. The Detroit City Council agreed to rent the clubhouse for a dollar, and in return, Total Action Against Poverty established

an agreement with the Michigan Department of Corrections to “provide close supervision of organizations such as the Krakow Club.” Lincoln only accepted the possibility of the Krakow Club’s reform when paired with surveillance. While Lincoln zealously sought to discipline working class white youth through the normative frame of his official position, when it came to poor and working class African American youth, in the context of the rising black freedom movement in northern cities, Lincoln began to doubt the rehabilitative power of liberal law and order. The incident gave a glimpse into his later embrace of its punitive side.

Given the centrality of education to Lincoln’s rehabilitative vision, it should come as little surprise that the growing influence of revolutionary organizing and the proliferation of organized protest movements in Detroit’s high schools played perhaps the decisive role in shifting Lincoln’s approach to juvenile justice toward a far more punitive approach. Lincoln’s belief that juvenile delinquency merely reflected the attitudes of the adult population suggests how leading advocates of criminal justice reform began to conflate civil rights activism at schools with the wildcat of the streets. His response sought to enforce a standard of behavior that social justice advocates perceived as laden with race and class biases. It was this association, and the social control juvenile judges exercised, hidden behind an informal and paternalistic approach, that motivated the growing juvenile court reform movement in the 1960s. Increasingly, activists called into question the rehabilitative vision of Progressive Era reforms as

inextricably tied to a white, middle class vision of society. This connection would become still more salient as the 1960s progressed. At this stage, however, Lincoln remained largely committed to the Progressive Era vision he articulated in these two articles. It was this vision, along with partisan considerations, to be sure, that motivated his fierce discontent with Governor Romney's attempt to dramatically reduce the budget of the Boys Training School at Whitmore Lake in 1963.

### ***Frank Murphy, The Democratic Party, and New Deal Law and Order***

“In the worst of times, he did the best of things.”

With these words, James Lincoln summarized the dissenting vote cast by his longtime friend, neighbor, and fellow Benton Harbor, Michigan, native, Frank Murphy, in the Supreme Court case that ultimately affirmed the legality of Japanese internment during World War II.<sup>26</sup> These words served as a coda to a close relationship between the Murphy and Lincoln families that spanned three generations and had an important impact on Michigan politics. Lincoln's grandfather and Murphy's father won statewide elective offices in the 1880s as Democratic Party running mates, and Lincoln's mother taught Murphy and his three siblings at the local school. As Murphy's star rose, so too did Lincoln's. When Murphy was elected governor of Michigan, he appointed Lincoln to

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<sup>26</sup> Memorial, Frank Murphy Museum, Harbor Beach, Michigan.

the state Agriculture Department. Franklin Roosevelt appointed Murphy U.S. Attorney General in 1939. It was to be a short-lived tenure, as Murphy was named to the U.S. Supreme Court in 1940. The younger Lincoln followed him to Washington, D.C., serving briefly as his receptionist.<sup>27</sup>

Murphy's well-known dissenting opinion came in the case of *Korematsu v. United States*. In that opinion, Murphy castigated the practice of Japanese internment by the state of California, and argued that abrogating a U.S. citizen of his or her constitutional rights due to their race or ethnicity was unconstitutional, an opinion that prefigured the criminal procedure revolution the Supreme Court would inaugurate in the 1960s.<sup>28</sup> Murphy's decision was typical of the liberal approach to law and order that Warren and the Supreme Court would later embrace. In it, Murphy sought to strengthen the function of the United States criminal justice system by purging it of the racial bias state courts had long practiced under Jim Crow. That his opinion castigated not a Southern state but the state of California under then-governor Earl Warren — the future Chief Justice under whom the procedural revolution occurred — says much about the creation of a specious Southern exceptionalism as the nation reckoned with Jim Crow.<sup>29</sup>

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<sup>27</sup> James Lincoln, "This Is the Man I Knew: A Home Town Friend Remembers Frank Murphy," August 1949, *The Michigan Democrat*, Notebook III, Box 6, JHLP.

<sup>28</sup> For an account of Murphy's undervalued contribution to the development of the Fifth Amendment's Equal Protection clause, see Matthew J. Perry, "Justice Murphy and the Fifth Amendment Equal Protection Doctrine: A Contribution Unrecognized," *Hastings Constitutional Law Quarterly* 27 (2000 1999): 243-308.

<sup>29</sup> For a trenchant analysis of the many similarities between the racial practices of the South and the rest of the country, which a myth of Southern exceptionalism distorts, see Joseph Crespino and Matthew D. Lassiter, eds., *The Myth of Southern Exceptionalism* (Oxford: Oxford University Press, 2009).

Neither was Murphy immune to the normative bias of liberal law and order. As Mayor of Detroit, Murphy created the Special Investigation Squad, a surveillance unit within the Detroit Police Department, to monitor the activities of Communist Party-affiliated radicals. The initiative had its roots in the Red Scare following World War I, in which Murphy was an active participant as a federal attorney. Murphy hoped that the creation of the SIS would professionalize these activities locally, and in the process protect “free speech rights of any group that complied with the law.”<sup>30</sup> Twenty years later, as U.S. Attorney General, Murphy authorized a series of indictments against left-wing activists across the United States involved in sending partisans to fight against Francisco Franco’s military coup. The move came shortly after Roosevelt nominated Murphy to the Supreme Court, and one of his longtime students, Ernie Goodman, surmised that with it Murphy sought to shore up his law-and-order credentials before Senate questioning.<sup>31</sup> “Murphy’s actions during his short tenure as attorney general,” an autobiography of Goodman asserts, “would later haunt an entire generation of labor and left-wing activists.” The reason was that in the institutional squabbles over domestic surveillance between the FBI, the State Department, Military Intelligence, and the Justice Department, Murphy backed the FBI and its youthful leader, J. Edgar Hoover. His recommendation exercised an important influence on Roosevelt’s decision to consolidate

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<sup>30</sup> Steve Babson, Dave Elsil, and Dave Riddle, *The Color of Law : Ernie Goodman, Detroit, and the Struggle for Labor and Civil Rights* (Detroit: Wayne State University Press, 2010), 56.

<sup>31</sup> Babson, et al., 76.

those activities under the FBI. Later in his career as Juvenile Judge, Lincoln would use not only the institutions Murphy created, such as the SIS, but also the intellectual framework on which Murphy drew. Lincoln respected law-abiding, "peaceful" civil rights picketers, and even protected them from police excess. But he could not abide breaking the law, not among people who embraced social revolution and not among nonviolent demonstrators.

Nor was Murphy the only Democratic governor from Michigan with whom Lincoln would develop a close working relationship. Upon his return to Detroit from D.C., Lincoln began working as a security guard at a local automobile plant, and helped organize the union that became the United Plant Guards of America. In this capacity, he was eventually elected one of the first officers of the citywide local he co-founded, CIO Local 114. Lincoln used his position to persuade the union to endorse G. Mennen Williams in the 1948 gubernatorial election, "before the CIO, or the AF of L," a distinction Lincoln was particularly proud of given that election's reconfiguration of party politics at a state level in Michigan in favor of the New Deal coalition.<sup>32</sup> Williams went on to win the election for governor in 1948, serving for twelve years before eventually becoming Chief Justice of the Michigan Supreme Court. Williams returned Lincoln's favor in 1960. After Lincoln lost elections to Wayne County Circuit Court in

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<sup>32</sup> James Lincoln to Virginia Smale, Secretary, 17<sup>th</sup> Congressional District, August 3, 1959, in folder "Political Resume," Box 1, JHLP; "Application for employment for firm 'Abstract and Title Guaranty Company,'" in folder "Military Service and Employment Records, 1944-1945," Box 1, JHLP.

1957 and again in 1959, finishing nineteenth in the 1959 election for 18 available seats, Williams, then in his final term as governor, appointed him to the Wayne County Probate Court as juvenile judge.<sup>33</sup> In the intervening years, Lincoln had proven himself time and again a reliable and capable member of the New Deal Democratic Party.

Lincoln went on to wage a divisive partisan campaign for mayor of Detroit against Republican incumbent Albert Cobo in 1953. Lincoln eventually lost, but in defeat he managed to highlight the significance of the housing issue to the partisan struggles of Democrats and Republicans in Detroit. Housing proved decisive in the Detroit mayoral contest of 1949, when the liberal UAW candidate, George Edwards, lost to Alfred Cobo in an election in which housing policy played a decisive role. Edwards supported federally funded public housing developments, while Cobo courted white homeowners with his hostility to public housing and fervent support for urban renewal projects that would displace vast swaths of mostly African American neighborhoods. After visiting Cobo's home to concede defeat, Lincoln accused Cobo of throwing him out.<sup>34</sup>

Undeterred, Lincoln ran for and gained a seat on the Detroit City Council the following year, serving for six years as a combative but effective presence in that capacity.

Lincoln's appointment as juvenile judge in 1960 was an outgrowth of these close ties.

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<sup>33</sup> "Lincoln Favored for Circuit Bench; Seen as Williams' Choice," *Detroit News*, April 24, 1960.

<sup>34</sup> James Ransom, "Lincoln Charges Snub by Cobo; Incident Occurs as Loser Offers Mayor Congratulations," *Detroit Free Press*, November 5, 1953; "Cobo's Would-Be Successor Has No Success as Congratulator," *Detroit News*, November 4, 1953.

For a stalwart of the Democratic Party, someone so closely allied with two of Michigan's most popular and beloved public officials of the twentieth century, the election of George Romney as governor of Michigan in the fall of 1962 must have come as a bitter disappointment. Still, with the growing significance of suburban voters and Romney's sterling credentials as a businessman, the result was not unexpected. Indeed, it presaged the sea change in party affiliations underway since the end of World War II and brought to completion with the emergence of "Reagan Democrats" in the suburbs of Macomb County, just north of Detroit, in the presidential election of 1980.

Lincoln wasted no time in mounting a campaign against Romney. In a letter just a month into Romney's first term, Lincoln put him on notice that he would challenge his approach to juvenile justice vigorously.<sup>35</sup> At issue was Romney's proposed budget for the upcoming 1963-64 fiscal year. Lincoln objected to a proposal to more than halve the budget for the expansion of the state's Boys Training School at Whitmore Lake. Located in a rural area outside the state capitol, the project reflected the Progressive rehabilitative ideal to which pastoral notions of the salubrious effects of fresh air were central. The Whitmore Lake facility had been a source of controversy and internecine squabbling since the initial allocation of state funds for its construction in July 1957.<sup>36</sup> At that time, according to one-time Democratic Governor of Michigan John Swainson,

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<sup>35</sup> Lincoln to George Romney, February 15, 1963, in folder "Social Welfare; Boys' Vocational School — Judge Lincoln Material, 1963," Box 23, George Romney Papers, Bentley Historical Library, University of Michigan (hereafter GRP).

<sup>36</sup> John Swainson, "Swainson Cites Record On Care of Delinquents, *Detroit Free Press*, April 11, 1963.

Republican officials attempted to prevent its construction by “proposing an amendment to the capital outlay appropriation bill that would have required an affirmative vote of the board of supervisors in the county where the new facility was to be built. The practical effect of such an amendment,” Swainson continued, “would have been to prevent construction of Whitmore Lake, because it was well known that the Washtenaw County Board of Supervisors was irrevocably opposed to locating Boys Training School at Whitmore Lake.” The partisan dispute also reflected a realignment under way in Michigan politics that had a geographic bent. Those in central Michigan, near the state capitol in Lansing, or in western Michigan, where Romney’s hometown of Grand Rapids was, saw Lincoln’s actions as simple political posturing.<sup>37</sup> Detroit newspapers tended to support Lincoln, as did union publications.<sup>38</sup> Giving an indication of the fragile New Deal coalition, however, was an article that appeared in the *Northeast Detroit*, a community newspaper. The writer castigated Lincoln for releasing juvenile delinquents from his care, saying, “Law-abiding citizens of the community can look forward to more beatings, robberies, burglaries, property loss, sex offenses ... and murder.”<sup>39</sup> An article in the *Detroit News* two years after Romney’s election, however, suggested that rural

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<sup>37</sup> “Not the Solution,” *Lansing State Journal*, March 15, 1963; “Flays Romney; Dem. Judge Threatens to ‘Dump’ Delinquents on State,” *Grand Rapids Press*, March 13, 1963; “State Not Neglecting Delinquency Problems,” *Saginaw News*, March 16, 1963; “He’s Hitting at the Wrong Man,” *Grand Rapids Press*, March 27, 1963; “Tin Horn Justice,” *Saginaw News*, March 26, 1963; “Previous Administrations to Blame,” *Adrian Daily Telegram*, April 1, 1963.

<sup>38</sup> “Olympics and Youth — Study in Contrasts,” *Michigan AFL-CIO News*, March 14, 1963. “Wyandotte Aroused by Delinquency,” *Detroit News*, March 17, 1963; “How Teens in Trouble Go Free,” *Detroit Free Press*, March 12, 1963; “Rapid Completion of Boys Home Urged,” *Detroit Free Press*, March 19, 1963.

<sup>39</sup> “Juvenile Criminals Run Loose in Detroit,” *Northeast Detroit*, April 4, 1963, Notebook III, Box 6, JHLP.

residents could prove amenable to at least the financial benefits of the Progressive ideal. Residents fearing juvenile escapees and declining property values initially booed public officials in public meetings proposing the Boys Training School, the article recalled. But in the several years since its construction, those fears had failed to materialize, and the influx of workers into the area, first for construction and then as administrative staff at the facility, won over local people as well as businessmen in the area.<sup>40</sup> But as townspeople and businessmen learned to live with the facility, it became the key point of contention in a significant political controversy spearheaded by Lincoln in the spring of 1963.

Lincoln concluded his initial letter to Romney with a warning. "I can even predict," he told Romney, "that action on your part now will save the lives of one or more of our citizens." These words would prove prophetic. Less than a month later, a white youth named Robert Trombley killed Beulah Sechler, a schoolteacher in the Detroit suburb of Wyandotte, after she refused to lend him her car to go on a date.<sup>41</sup> Sechler's death provoked outrage among residents of the Detroit metropolitan region, likely exacerbated by the fact that Trombley had a long history of run-ins with the police, but had never received extensive rehabilitation due to the lack of space Lincoln

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<sup>40</sup> John Gill, "Boys' School Wins Over a Town," *Detroit News*, February 3, 1964. For the political implications of building prison institutions in rural areas, see Heather Thompson, "Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History," *Journal of American History* 97, no. 3 (December 2010): 703–34.

<sup>41</sup> "Killer's Dad Says He Tried," *Detroit Free Press*, March 12, 1963.

now decried. Following the incident, Lincoln renewed his pressure on Romney. Soon after, Lincoln informed Romney and the Superintendent of Boys Training School, Virgil Pinckney, that he would no longer abide by the state-imposed, four-boy-a-week quota, and would break that quota in dramatic fashion by sending twenty young offenders to Whitmore Lake for admittance.<sup>42</sup> This was a bold move on Lincoln's part, made more so by Lincoln's insistence that these juveniles, "upon delivery, will become the legal and moral obligations of the State of Michigan." Sechler's recent murder haunted these words. When officials at Whitmore Lake ultimately refused to accept the additional boys, Lincoln promptly hired a lawyer and announced plans to sue the State of Michigan.<sup>43</sup>

Romney's response was swift and decisive: He caved. Less than a week later, he announced plans to speed construction of the new facilities at Whitmore Lake.<sup>44</sup> By June of that year, Wayne County's BTS quota had increased to six a week.<sup>45</sup> At this time, juvenile delinquency in Michigan was a mixture of working class white and African

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<sup>42</sup> Lincoln to Romney, March 15, 1963 in folder "Social Welfare; Boys' Vocational School — Judge Lincoln Material, 1963," Box 23, GRP. Lincoln to Romney, March 19, 1963, in folder "Probate Court Correspondence, 1960-1965," Box 3, JHLP. Virgil Pinckney to Lynn Kellogg, Acting Director of State Dept. of Social Welfare, March 26, 1963, in folder "Social Welfare; Boys' Vocational School - Judge Lincoln Material, 1963," Box 23, GRP. The quota for Wayne County was decreased from five to four boys per week on April 3, 1961. See Vergil Pinckney to Lynn Kellogg, March 18, 1963, in folder "Social Welfare; Boys' Vocational School - Judge Lincoln Material, 1963," Box 23, GRP.

<sup>43</sup> "State-Care-of-Juveniles Row to Go to High Court," *Mt. Clemens Democratic Monitor Leader*, March 27, 1963.

<sup>44</sup> Statement from Governor George Romney's Executive Office, March 29, 1963, in folder "Social Welfare; Boys' Vocational School — Judge Lincoln Material, 1963," Box 23, GRP.

<sup>45</sup> Jo Ann Hardee, "Detroit's Untouchable Juveniles," *Detroit News*, June 30, 1963.

American youth. Given the contemporary explanations of white juvenile delinquency, rooted not in an endemic racial character but in the displacements of World War II or other sociological causes, the events that followed fostered renewed support for a rehabilitative solution. Trombley's murder of Sechler occurred in the midst of the transition between the racial valences of juvenile delinquency. As a result, Lincoln's advocacy for an expanded facility at Whitmore Lake intersected with a notion of "maladjusted" young people who required proper guidance and not irredeemable, "case-hardened," and African American delinquents, for whom rehabilitation appeared a dubious prospect.

The partisan intrigue surrounding the Whitmore Lake expansion suggested the extent to which in the early 1960s moderate Republicans took the lead in formulating carceral policy from Democrats. Like New York Governor Nelson Rockefeller in the early 1960s, Romney disagreed with the racialized version of law and order that Barry Goldwater popularized. This was evident in Romney's eventual adoption of a plan to expand the Whitmore Lake facility. That plan incorporated many of Lincoln's recommendations from previous letters, though without crediting Lincoln. In his March 15, 1963, letter, for example, Lincoln recommended completion of a 140-bed housing unit by April 1964. Romney's own plan called for a 150-bed unit by July 1, 1964, doing Lincoln ten beds better, but two months later. Romney also moved up the expected completion date of an academic facility, a food service building, and other projects a full

year, to fall 1964. Lincoln had demanded April of that year. In spite of this posturing, Lincoln ultimately praised Romney's action, and demurred from taking any credit for his own role in the issue.<sup>46</sup>

Though his partisan opponents voiced skepticism toward his commitment to the rehabilitative approach, this issue was not simply a political football to Lincoln. At stake was the entire rehabilitative approach to criminal justice, which Lincoln championed in a history of juvenile court he wrote in 1961 as well as a *Parke-Davis* article of early 1963. Lincoln again demonstrated this commitment in an acerbic letter to fellow Probate Judge W. McKay Skillman just after the resolution of the Whitmore Lake controversy.<sup>47</sup> Skillman had publicly voiced doubts about Lincoln's commitment to rehabilitation to the *Detroit News*, suggesting that if Lincoln encounters so many "case-hardened" delinquents who require the longer-term, higher-security facilities of BTS, he should consider waiving them to adult court.<sup>48</sup> Lincoln argued, in response, that the Detroit police commissioner had collected records of "case-hardened" juveniles sent to BTS and waived to adult court. Lincoln's conclusion, based on an assessment of these documents, was that BTS had a far better record of rehabilitation than adult facilities. In spite of Skillman's doubts, Lincoln drew on the broad support of the Michigan Probate and

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<sup>46</sup> "Lincoln Hails Romney's Action on Boys' School," *Detroit News*, March 30, 1963. In this article, Lincoln ascribes the success of the Whitmore Lake issue to the newspapers' willingness to publicize it, rather than taking credit for it himself.

<sup>47</sup> Lincoln to W. McKay Skillman, March 27, 1963, in Notebook III, Box 6, JHLP.

<sup>48</sup> Jim Crellin, "Romney, Skillman Criticize Lincoln on Youth Cases," *Detroit News*, March 26, 1963.

Juvenile Court Judges Association, which passed a resolution in July 1962 calling for the state Legislature to allocate sufficient funds to complete the Whitmore Lake expansion within a year. Their rationale in doing so was the facility's proven track record as "an excellent institution for the rehabilitation of seriously delinquent boys."<sup>49</sup> Skillman was not alone in harboring doubts about Lincoln's commitment to rehabilitation. Corrections professionals also expressed some skepticism. A letter from Albert Applegate, Romney's administrative assistant, detailed a conversation Applegate had with Gus Harrison, director of the Michigan Department of Corrections, and Seymour Gilman, Assistant Director of the Prison Camp program during the height of the Whitmore Lake controversy.<sup>50</sup> In it, Applegate notes that both of these officials struck him as "dedicated corrections' administrators who believe in the rehabilitation approach to penology." In contrast, the letter suggested that Lincoln "appears to be more interested in incarceration than rehabilitation and prevention" and suggested, echoing Skillman, that if the young offenders to which Lincoln referred were so dangerous, he should waive jurisdiction over them and allow them to be tried as adults." Applegate also made a telling observation about BTS. "The attitude of officials there," he said, "is more likely to embitter than to rehabilitate the inmates." Finally, Applegate noted that both officials

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<sup>49</sup> Lincoln to Wallace Waalkes, February 13, 1964, in Notebook III, Box 6, JHLP; Wallace Waalkes to George Romney, March 21, 1963, in folder "Social Welfare; Boys' Vocational School — Judge Lincoln Material, 1963," Box 23, GRP.

<sup>50</sup> Albert Applegate to Walter DeVries, aide to George Romney, memorandum, March 28, 1963, in folder "Social Welfare; Boys' Vocational School — Judge Lincoln Material, 1963," Box 23, GRP.

expressed some fear that “the juvenile program may be moving toward greater restrictiveness at a time when the adult program is placing greater emphasis on careful classification methods, permissiveness when possible, and widely diversified programs for handling inmates.” In this instance, Romney’s moderate Republican administration in Michigan found itself outplayed politically by New Deal Democrats, led by Lincoln, dedicated to enlarging the state’s institutional capacity. These changes, implicated as they would eventually be in the criminalization of African American youth during the civil rights era, suggest that the juvenile system was at the frontline of changes that would permeate the adult institutional system in years to come.

An exchange Lincoln had with Virgil Pinckney, Superintendent of Boys Training School, expressed an additional concern. Pinckney sought to dissuade Lincoln from sending the additional twenty juveniles to BTS in the run-up to the incident. Lincoln, however, made it clear to Pinckney that he intended to proceed with his plan, “in order to bring to the public a focus on the problem.” Doing so was necessary, Lincoln allegedly claimed, as “it is ‘John Q. Public’ who must be aroused.”<sup>51</sup> W. Reed Orr, Vice Chairman of the Social Welfare Commission of the State of Michigan, also sought to dissuade Lincoln from following through with his plan. “The Commission believes that you have adequately demonstrated the need for additional facilities at the Boys Training

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<sup>51</sup> Virgil Pinckney to Lynn Kellogg, March 26, 1963, in folder “Social Welfare; Boys’ Vocational School – Judge Lincoln Material, 1963,” Box 23, GRP.

School," he wrote Lincoln. "Therefore, we urge you to reconsider your plan to send more than four boys in any one week."<sup>52</sup>

Romney himself called Lincoln's commitment to rehabilitation into question a year later, after Lincoln released another score of juveniles in an effort to drum up public support for a halfway house program he sought for the State of Michigan. Romney supported a rehabilitative approach to criminal justice, and disagreed with Barry Goldwater on this point when the two competed in the Republican presidential primary of 1964. Following this more recent public relations coup, Romney wrote a scathing letter to Lincoln and the press in which he argued that Lincoln pursued only incarceration as a solution to the issue of juvenile delinquency, with little interest in rehabilitation.<sup>53</sup> Romney noted that other counties and judges in the state had initiated counseling programs and enlisted the efforts of volunteers in order to mitigate juvenile delinquency problems. Lincoln, on the other hand, had apparently concluded, according to Romney, that his only alternative was "to send delinquent boys to detention facilities. If this is temporarily impossible," he continued, "then you call in the photographers, wring your hands, condemn the state and turn the boys loose." "In the past year," Romney concluded, "you have provided no leadership in this crucial problem area, but

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<sup>52</sup> W. Reed Orr to James Lincoln, March 21, 1963, in Notebook III, Box 6, JHLP.

<sup>53</sup> Romney to Lincoln, March 18, 1964, in folder "Judge Lincoln Episode," Box 427, GRP.

have probably the largest stack of publicity clippings of any juvenile judge in the country.”

But Republicans misjudged Lincoln, for whom the success of rehabilitation depended on incarceration. From his writing, it is clear that Lincoln believed in rehabilitation as a central tenet of juvenile penology. Before Romney’s election, he noted in his 1961 history of juvenile court that successful rehabilitation required space and time above all else. Lincoln’s Whitmore Lake campaign highlighted the relationship between rehabilitation and incarceration in liberal law and order. Even more, Lincoln’s campaign suggested that in Michigan, New Deal Democrats were instrumental in publicizing increasing incarceration as a solution to juvenile crime. Lincoln’s strategy was a brilliantly run piece of public relations. When Lincoln sent the twenty additional boys to Whitmore Lake, he knew, from his conversations with Vergil Pinckney, that Pinckney was unlikely to accept them. Thus, the aide who accompanied the boys came equipped with a news release written in advance to distribute to the press.<sup>54</sup> As a keepsake of his campaign, Lincoln saved a hostile editorial that appeared in the *Grand Rapids Press* in his personal papers accompanied by a handwritten note reading, “Jim: From Republicanland,” signed “Dutch W.”<sup>55</sup>

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<sup>54</sup> James Lincoln, “Statement on Boys’ Training School,” March 25, 1963, in Notebook III, Box 6, JHLP.

<sup>55</sup> “He’s Hitting at the Wrong Man,” *Grand Rapids Press*, March 27, 1963, in Notebook III, Box 6, JHLP.

The duality at the heart of liberal law and order allowed Lincoln's emphasis to shift in the years that followed. While he remained committed to increasing the state's available space, especially in high-security facilities devoted to long-term rehabilitation, Lincoln's commitment to rehabilitation as the goal of lengthier confinement began to wane. Moreover, he began to attack social workers' prerogatives to determine the treatment type and length of juveniles committed to their care. Increasingly, he sought to appropriate these powers to the court itself, undermining his earlier commitment to a juvenile justice system guided by the human sciences and the casework method. With these developments far in the future, what remained from this initial campaign was the rhetorical link between "case-hardened" delinquents and a push for increased institutional space. Romney's attempt to recommend alternatives to incarceration could not withstand Lincoln's successful marshaling of public opinion, especially in the aftermath of the Beulah Sechler murder. In the years to come, public officials, as well as Lincoln himself, would lose sight of the rehabilitative vision that had previously accompanied his push for more facilities. With the onset of militant, collective struggles led by African American youth in Northern cities, juvenile delinquency became increasingly racialized. Juvenile penology, in turn, lost the thrust to treat young people as "maladjusted" individuals, and began to see them as "case-hardened" criminals acting en masse as gangs.

## ***Policing the Movement: Lincoln's Changing Position***

For many reasons, 1967 was a watershed year in Detroit. Certainly the summer rebellion altered forever the city's delicate racial balance. But one of the most far-reaching effects of that episode was the way it galvanized a generation of activists in the city. Just months after the smoke cleared and the streets were swept clean, a group of seasoned radicals launched a community newspaper called *Inner City Voice*. This paper would prove extremely influential in the struggles that followed, as would the core of activists gathered around it. They would foment wildcat strikes in local factories, gaining notoriety eventually as the League of Revolutionary Black Workers. Militants associated with these groups also established a far-flung network of contacts in city high schools that, at its height, had branches in 22 high schools and its own newspaper.<sup>56</sup> These developments coincided with a growing dissatisfaction among high school students themselves, and the years following the rebellion saw a significant increase in the amount of politically motivated disturbances in city high schools.

The rebellion in schools across Detroit imperiled what Lincoln had long believed was the key to juvenile rehabilitation: education. In the midst of this social rebellion, Lincoln responded forcefully, with a series of measures that demonstrated the important role liberals played in criminalizing race and poverty in the 1970s. He issued new strictures seeking to control daily life in high schools. He made public statements

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<sup>56</sup> Dan Georgakas and Marvin Surkin, *Detroit: I Do Mind Dying* rev. ed. (Boston: South End Press, 1999), 76.

forcefully condemning these protest movements. And he coordinated highly intrusive surveillance and disruption tactics with local police. In doing so, he emphasized the rights of the “community” and of crime victims against those of political activists seeking redress against decades of discrimination. For Lincoln, as for many others, the distinction between civil rights protests challenging unjust laws by breaking them and criminal behavior had finally collapsed. Young African American men were juveniles “only by legal definition” and were in reality “case-hardened” criminals.<sup>57</sup> In this atmosphere, Lincoln abandoned the rehabilitative approach that characterized his early years and embraced far more punitive solutions.

In February 1968, Lincoln issued a memorandum calling for the arrest of juveniles found loitering around schools. The memorandum circulated throughout Wayne County, issued to all police chiefs within Lincoln’s jurisdiction.<sup>58</sup> This memorandum ordered, “all juveniles found loitering or causing a disturbance *within* a school, if they are not enrolled in the school in which the violation occurs” to be arrested and taken to the Wayne County Youth Home (emphasis in original).<sup>59</sup> The same applied to violations in the vicinity of schools. Lincoln’s purpose in issuing the memorandum was “to take forceful action concerning school dropouts, juveniles suspended from school, and juveniles who are enrolled in one school but who loiter in and around

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<sup>57</sup> Editorial, “Seven-month ‘Rehabilitation’; A Dubious Miracle,” *Detroit News*, November 19, 1968.

<sup>58</sup> “Judge Orders Crackdown On School Disturbances; Requests Arrest of Loiterers,” February 28, 1968, *Observer Newspapers*, Notebook III, Box 6, JHLP.

<sup>59</sup> Memorandum to “All Police Chiefs of Wayne County,” February 1968, in Notebook III, Box 6, JHLP.

schools in which they are not enrolled.” For Lincoln, the problem was clear-cut: “Disturbances caused by these non-enrolled juveniles have reached major proportions in some schools.” Framing the issue this way dismissed the likelihood that students in these schools were themselves behind the many disturbances then emerging at Detroit schools. It rehashed old stereotypes about “outside agitators” without giving any credence to the grievances that students had that led to so many disturbances, and which may have enhanced the appeal of the activists organized around *Inner City Voice*. It also underplayed the political causes at the center of many of these disputes. The 1966 Northern High School movement, for example, was a boycott organized in response to a decision by Principal Arthur T. Carty to ban a student-written editorial from the student newspaper. The boycott sparked a series of negotiations that resulted in Carty’s reassignment to another school by the Detroit Public School Board.<sup>60</sup> In the wake of the 1967 riot and rebellion, radical political groups in Detroit worked closely with students to organize demonstrations against similar actions by school administrators and teachers.<sup>61</sup> Lincoln chose to ignore the legitimacy of these grievances throughout the 1970s when dealing with these types of disturbances.

The emergence of these disturbances had a profound effect on Lincoln’s thinking.

At the start of the following school year, Lincoln, addressing a national conference on

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<sup>60</sup> Jeffrey Mirel, *The Rise and Fall of an Urban School System : Detroit, 1907-81* (Ann Arbor: University of Michigan Press, 1993), 300-8.

<sup>61</sup> Heather Thompson, *Whose Detroit? Politics, Labor, and Race in a Modern American City* (Ithaca: Cornell University Press, 2001), 85-88.

"children in trouble," sounded a new explanatory note on the causes of the 1967 disturbance.<sup>62</sup> Now, it was not only a problem of the adult population leading youth astray, though that explanation remained. It was not only a problem of "middle class values before they can afford middle class values," though that, too, remained a powerful explanatory device for Lincoln. Still more decisive was an antagonism toward police, the depth of which, Lincoln said, was "almost unbelievable." "The police," Lincoln suggested, "were the symbols of the entire white power structure." It was this structure that came under attack in the 1967 upheaval, which Lincoln argued, "was more of a rebellion or revolution directed at the existing power structure" than a senseless "riot." As a result of all this, Lincoln argued, "The expression, 'Poor, but angry,' has replaced 'Poor, but honest.'" Lincoln lamented this change, preferring honest poor people who accept their lot in life to the poor people populating Detroit at the time who kept angrily making demands on the power structure.

Close cooperation with the Detroit Police Department and its secret surveillance teams was in part responsible for Lincoln's change of interpretive emphasis. In April 1968, long before Lincoln's memo regarding high schools, he received surveillance from the Detroit Police Department regarding a protest against the Vietnam War that began at

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<sup>62</sup> "Memorandum and related material to be used at the national conference on 'Judicial Concern for Children in Trouble,'" September 12, 1968, in Notebook III, Box 6, JHLP.

Cass Technical High School and culminated in a rally at Wayne State University.<sup>63</sup> Lincoln's files also include an extensive collection of leaflets circulated at area high schools throughout the 1960s and 1970s, as well as evaluations of the relationship between groups like *Inner City Voice* and church organizations on the city's east side. In March 1969, Lincoln wrote to Police Commissioner Johannes Spreen requesting intelligence on a community newspaper called *Black Student Voice*. Spreen shared intelligence the Detroit Police Department had gathered on BSV with Lincoln in a letter dated March 17, 1969.<sup>64</sup> Spreen told Lincoln that BSV first appeared in Detroit schools in June 1968. He also noted that it shared an address with the newspaper *Inner City Voice*, as well as the Dodge Revolutionary Union Movement before that group coalesced into the League of Revolutionary Black Workers. BSV eventually changed its address, but the connections to Detroit's radical movement lingered. At its new address, Spreen noted, BSV shared space with the Black Arts Development Center (BADC). BADC was in turn supported by the North Woodward Interfaith Council (NWIC), which Spreen described as "a community-betterment project founded jointly by: Catholic, Protestant, and Jewish churches, which sought to develop local community leaders to direct neighborhood-betterment projects." In his March 1969 correspondence with Lincoln, Spreen alleged

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<sup>63</sup> Memorandum, "Detroit Police Department Detective Division' Subject: Activities of student mobilization committee on April 26, 1968 - to protest the draft and war in Vietnam," April 26, 1968, in folder, "School Disturbances, 1960-1979, 2002," Box 4, JHLP.

<sup>64</sup> Johannes Spreen to James Lincoln, March 17, 1969, in folder, "School Disturbances, 1960-1979, 2002," Box 4, JHLP. Spreen notes that he is responding to a letter from Lincoln of 3/6/69 requesting information.

that the BSV “was designed for distribution in public schools — with the intention of causing student uprisings and disruption of normal school procedures. Further, the plan is to convince students that they are victims of racism, discrimination, and oppression: and that the only solution to their plight is revolution.” Spreen then listed BSV’s demands. These were significant regarding the legislation of judicial affairs in the school and included the “immediate removal of all officers of the law from all black schools,” discipline carried out by the students themselves, an end to unjust expulsions, the expulsion of ROTC training from black high schools, and an end to administrative harassment of students distributing BSV, and “complete freedom of speech and freedom of the press.” Other demands included “a ‘real’ education for all black students,” such as black history courses in all schools with black students, as well as replacing all “books, pictures, statues and monuments that are irrelevant to a ‘true black education’.” Echoing the concerns that informed the Northern High School student movement, the BSV also demanded the “complete removal of all Toms, white racist teachers, and their co-workers.” Other official BSV communications suggest that these demands closely corresponded to the demands of the Black Student United Front and not a sensationalized figment of Commissioner Spreen’s imagination. For example, the “Black Student Manifesto” published in June 1971, by the Black Student United Front — which published *Black Student Voice* — listed numerous programmatic, general, and specific demands on education administrators in the city of Detroit. These included an Afro-

American Day that would celebrate black history as well as a demand for a curriculum focused on black history, literature, and political education; the right to distribute *Black Student Voice* in public schools; the demand to display the Black Nationalist flag on school property; the abolition of ROTC; amnesty for student protesters; the removal of racist, anti-union and anti-communist propaganda from school curricula; community control of schools, including a Community Review Board “with the power to act, intervene and DECIDE (emphasis in the original) on all matters affecting both students and schools;” and the modernization of the schools’ physical plant.<sup>65</sup>

Less than a year after Lincoln’s correspondence with the Detroit Police Department regarding the secret surveillance of activist groups, Lincoln outlined what he considered the significance of his intelligence-gathering exercises. In a statement from April 1970, Lincoln recalled an encounter with a 16-year-old boy in his courtroom.<sup>66</sup> Lincoln said the boy explained on the witness stand the purpose of the organization to which he belonged. “His organization was formed to benefit the neighborhood,” Lincoln reported. “When asked if the police and schools were not part of the neighborhood, he stated very clearly that they were not. He said that few of them lived in the

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<sup>65</sup> See Black Student Manifesto, June 1971, issued by Black Student United Front, Box 18, Folder 15, “Detroit Public Schools, Student Radical Groups, 1960’s-1970’s,” Kenneth and Sheila Cockrel Collection, Archives of Labor and Urban Affairs, Reuther Library, Wayne State University, Detroit, MI. Another document in Lincoln’s possession, in the folder containing much of this material, reproduces verbatim the demands that Spreen listed. See “Attention Black Students,” in folder, “School Disturbances, 1960-1979, 2002,” Box 4, JHLP.

<sup>66</sup> “Statement regarding school disruptions,” April 24, 1970, in file “School Disturbances, 1960-1979, 2002,” Box 4, JHLP.

neighborhood and many of the police and teachers were white." This corresponded with long-held demands for community control and complaints about police presence in African American communities. Lincoln noted that this boy's statements were "the same statements that have appeared in literature that I have collected, and which have been distributed around schools." He concluded that "the very clearly stated objective" of that literature was "to drive all white teachers and white police from the area."

But this was not the case. Far more, the BSV's demands represented a political critique and disturbances at local high schools revolved around highly controversial abuses on the part of administrators. Moreover, it was not white teachers as such who were targeted for removal simply for being white. Rather, the BSV's demands implicated "Toms, white racist teachers, and their co-workers." Some even implicated African American officials, and either called for their removal or opposed their appointment to key positions in schools. In one instance, Fred Robinson, the son of the first African American member of the Detroit Board of Education, provoked calls for his own removal as a security officer when he called police to arrest a Murray-Wright High School student.<sup>67</sup> The veracity of his claims seemed to matter less and less to Lincoln as he evolved into a committed proponent of punitive carceral policies toward youth. Believing that these disturbances would continue for the foreseeable future, and that

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<sup>67</sup> "Murray Faces Student Threat," *Detroit News*, November 26, 1969, Folder 7, Box 81, New Detroit, Inc., Collection.

adult leadership was central to their continuation, Lincoln escalated his tactics well beyond his ordinance against loitering. At the start of 1970, Lincoln began coordinating invasive surveillance and disruption of local activist organizations by the police. He also issued public statements condemning these disturbances.

In a confidential memorandum to the Detroit Police Department in January 1970, Lincoln outlined his recommendations for surveillance and disruption. "The facts clearly indicate," Lincoln began, "that school disturbances will continue to be a major problem in Detroit for some time to come."<sup>68</sup> He argued that the leadership "for these disturbance centers" was mostly adults "who are intelligent and who have become experts in the business of creating disruptions without getting themselves arrested." Lincoln suggested that numerous organizations were involved, likening this reality to "numerous cancer cells that can operate separately as well as collectively." He claimed that though some juveniles were involved in the disturbances, there were "only a few" professionals among them. Most of those involved, Lincoln said, "are juveniles who were caught up in the excitement and who are of little importance to the movement." He suggested that the Black Student Association "furnishes much of the juvenile leadership" of the movement.

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<sup>68</sup> Confidential memorandum re: School disturbances, January 15, 1970, in file "School Disturbances, 1960-1979, 2002," Box 4, JHLP.

After laying out the fundamentals of the situation, Lincoln proffered his own advice about how to curtail these disturbances consisting of two main recommendations. First, Lincoln recommended increasing police surveillance of leaders and organizations and how they were financed, and increasing funding for the Detroit Police Department's Special Investigation Bureau accordingly. "It is possible," Lincoln then proposed, "that a 'counter force' of militants could be assembled and used to speak against unlawful disruptions of schools." Such a counter force, Lincoln argued, "would need to be individuals who could not successfully be charged with being Uncle Toms," and who were "considered militant leaders by the Negro community." Possibilities included two local activists well-known to police for their involvement in the New Bethel shooting incident the previous year, Milton Henry, then head of the Republic of New Africa (RNA), and Judge George Crockett. A confrontation between members of the RNA and local police at New Bethel Baptist Church resulted in the death of one officer, and injuries to a second officer and four civilians. At that time, Crockett intervened forcefully to ensure that constitutional protections were extended to the nearly 150 people police arrested following the incident. Lincoln recommended Henry as a model for his "counter-force" because the RNA leader had recently "spoke against a school disturbance and took the position that they should stay in school and get an education." Henry was himself a radical lawyer well known for his involvement in radical legal cases in the city. Lincoln wrote favorably for Crockett after the latter spoke

in Dearborn supporting integration. In spite of their radicalism, Lincoln was convinced the two men could be reliable mediators between young protesters and Lincoln's goal of social stability. Lincoln devoted so much of his time to a discussion of these two recommendations because he believed that "it is not going to be effective to lock up juveniles if the adults can not be curtailed somehow." Lincoln based his assessment on an encounter he had recently had with a "paid employee of one of the Inter-Faith Groups" in his courtroom. Lincoln noted that the employee told him that "there was nothing the court could do anyway as he and others were talking to the students on a day-to-day basis." Lincoln agreed. "These adults are always in a position to recruit more juveniles if some are locked up," he said. "*They are effective because they have daily contact and the students are listening to them*" (emphasis in original).

Lincoln's surveillance of adult activists and recommendations for a trusted but pliable counter-force by no means suggested he had abandoned his pursuit of increased incarceration for juvenile offenders. "This is not to say," Lincoln continued, "that it is unimportant to lock up juveniles." He had done so in the past and was pursuing that very policy with his order to crack down on loitering around schools. But, "this procedure is not by itself stopping the trend of events." Adults, Lincoln believed, were far more important to the continuation of school disturbances. Neutralize them, and the disturbances would stop. In the midst of militant African American protest against the remnants of a racist education system, Lincoln's concerns demonstrate how a concern

for juvenile crime elicited an escalation of invasive carceral tactics against adults involved in the black protest movement.

Lincoln's praise for Crockett suggested a shared response on the part of civic leaders once attached to the New Deal coalition to the upheavals in the streets. Though the two disagreed about the disproportionate effects the criminal justice system had on African Americans, Lincoln and Crockett shared a concern, rooted in liberal law and order, to reform criminal justice administration in order to undermine its more left-wing critics. While Lincoln began to embrace the more punitive side of this liberal framework, Crockett continued to insist on its racialized effects. By purging this racial bias within the administration of criminal justice, Crockett sought to re-establish the legitimacy of the practice of state violence through the courts.

Over and above this assonance among public officials, Lincoln's memo demonstrated the extent of his support for the type of highly invasive surveillance tactics that would soon be decried with the exposure of the FBI's COINTELPRO program in March 1971. Both Lincoln's recommendation for increased funding for the DPD's Special Investigations Bureau as well as his recommendation that the DPD pursue the creation of a "counter force" of militant African American leaders able to divert student anger into less disruptive channels demonstrate a willingness to advocate the most extreme forms of invasive policing to maintain public order. Nor were these tactics without precedent. They emerged five years earlier when Lincoln, unsettled by

the presence of gang-affiliated African American youth opposite his courtroom, intervened to increase the cooperation between the city's Total Action Against Poverty program and the Department of Corrections.

This was a private memo, confidential, with its most likely target higher-ups in the police department. Three months later, Lincoln released a public statement denouncing the school disturbances in similarly dramatic fashion.<sup>69</sup> "School disruptions are lawless and criminal," it declared in its opening sentence. With that, Lincoln left no doubt about his position on the spate of school disruptions that had percolated through Detroit's schools for over a year. Lincoln was not alone in his opposition to school disruptions, however. In fact, Lincoln borrowed that judgment on school disruptions from a February 1970 ruling handed down by Judge Talbot Smith, U.S. Judge for the Eastern District of Michigan. That ruling found a Detroit City Council Ordinance banning school disruptions constitutional. The ordinance declared, "No person shall willfully or maliciously make or assist in making any noise, disturbance, or improper diversion by which the peace, quietude or good order of any public, private, or parochial school is disturbed."

Smith himself, in offering his ruling, argued against the protections of the First Amendment. He argued that the people organizing school disturbances were essentially

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<sup>69</sup> "Statement regarding school disruptions," April 24, 1970, in folder, "Statements and Speeches, 1960-1967," Box 4, JHLP.

hiding behind the First Amendment in order to destroy “other freedoms equally dear.” These included “the freedoms of a child to learn in an atmosphere conducive to thought, guidance, and reflection, the freedom of an instructor to teach without fear of disruption of his class or diversion of its attention. These freedoms,” Smith declared, “are subservient to none. What certain First Amendment protagonists have overlooked in such violent assertions of their constitutional rights ... is that the asserters themselves have duties and obligations as well as constitutional rights.” Smith concluded,

The assertion of a constitutional right does not absolve the asserter from the performance of his duties and obligations. Nor does it permit him to violate the reasonable and constitutional rights of others. Such conduct as here described is not permissible ‘free speech.’ Such conduct is lawless and criminal. It violates the rights of others. It disrupts the educational process and provokes public violence. Rather than ‘free speech’ it is but the free abuse of others and cannot be tolerated in any ordered society. *Those employing such tactics are doing a disservice to the ideals they profess to espouse.* Let them accord others in our community their rights to peace, stability, and good order” (emphasis in original).

The U.S. Supreme Court had made a similar ruling itself in 1969, arguing that students had a right to “express political opinions in a non-disruptive way” at schools, a right that was “limited to conduct that does not disrupt discipline or interfere with the rights of others.”<sup>70</sup> This ruling made possible Smith’s own decision. The language of Smith’s decision resonated with the transformation taking place at the time, as President Richard Nixon redefined Roosevelt’s “first civil right” to mean not freedom from white vigilante violence directed at black bodies, but instead freedom from street crime perpetrated by African Americans. Like Nixon, Smith evoked rights nowhere present in the U.S.

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<sup>70</sup> Fred Graham, “High Court Upholds A Student Protest,” *New York Times*, February 24, 1969.

Constitution in order to curtail the rights to freedom of speech and assembly which the Constitution specifically enumerated, and which his court had as its sole mission to uphold. Alongside Lincoln's efforts in Detroit's juvenile court, Smith's decision helped redefine black protest in a northern context in a way that resonated with what white segregationists in the South claimed: Protest against white supremacy was itself criminal. In this instance, the battle was between law enforcement and civil rights protesters and revolutionaries, not people accused of crimes. But the emergence of victim's rights discourse later in the decade muddied the waters considerably.

### ***“The Supreme Court Has Gone Far Enough”: The Warren Court and Victim's Rights***

While students and activists, black and white, objected to these rulings, neighborhood newspapers quickly registered their approval. An article in the *Northeast Detroiter* strongly supported Lincoln's action.<sup>71</sup> “Whenever someone speaks of a ‘Crackdown on Crime,’” the article began, “a long list of dissenters comes forth from every corner.” Before anyone might object that such crackdowns are often racially biased, the author raised the specter of the “law-abiding Negro” as the chief crime victim in Detroit, and concluded that the effect on the African American community would be disproportionate not in its targeting of Black youth as crime perpetrators, but in benefitting the African American community “most of all, since they are the most

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<sup>71</sup> Al Harvard, “Two Prong Program Offered to Halt Juvenile Crime Wave,” February 29, 1968, *Northeast Detroiter-Harper Woods Herald*.

frequent victims.” This sentiment echoed what urban historian Michael Javen Fortner has found in his research, namely that “the black middle-class and black civic and political institutions and elites...responded to threats to their life chances posed by the social problems associated with deindustrialization in a manner that promoted mass incarceration.”<sup>72</sup> Potential black victims of the specter of street crime that Nixon raised responded in a way that resonated with what Lincoln was accomplishing. It also echoed Detroit City Councilman Phillip Van Antwerp’s argument from years earlier, during a debate about a city knife ordinance.<sup>73</sup> By using African American crime victims to justify a crackdown on Black “delinquents,” this article and others like it attempted to escape responsibility for supporting an enforcement policy that may have had little impact on crime, but did much to increase the number of poor and working class African American youth targeted by the enforcement apparatus of the state. It did so through the use of victim’s rights language.

The victim’s rights discourse emerged in full force alongside the “criminal procedure revolution” the Supreme Court initiated under Chief Justice Earl Warren from 1953 to 1969.<sup>74</sup> The Warren Court’s most famous ruling came in 1954, when it

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<sup>72</sup> Michael Javen Fortner, “The Carceral State and the Crucible of Black Politics: An Urban History of the Rockefeller Drug Laws,” *Studies in American Political Development* 27, no. 1 (April 2013): 35.

<sup>73</sup> “Sob Sisters, Liberals’ Hit in Stabbings,” *Detroit Free Press*, April 2, 1965, in folder “Linda Lincoln Clippings Scrapbook, 1962-1965,” Box 1, JHLP.

<sup>74</sup> For an examination of the emergence of victim’s rights in the context of these shifting debates involving African American protest movements, see Lynne N. Henderson, “The Wrongs of Victim’s Rights,” *Stanford Law Review* 37, no. 4 (April 1985): 937-1021.

issued its *Brown v. Board of Education* ruling. Relying on the Fourteenth Amendment's Equal Protection clause, the Court issued its decision ending legal segregation in the United States. The criminal procedure revolution continued the Warren Court's application of the Fourteenth Amendment to state jurisdiction by incorporating the protections of the Bill of Rights into the Fourteenth Amendment's Criminal Procedure clause. The result of the Warren Court's criminal procedure revolution was a series of rulings throughout the 1960s that redefined defendants' rights in a court of law. The "revolution" began with *Mapp v. Ohio* in 1961, which established that evidence obtained through "unreasonable searches and seizures" was a violation of the Fourth Amendment and hence inadmissible in court. In 1963, the Court's *Gideon v. Wainwright* ruling extended the protections of the Fifth Amendment against self-incrimination and Sixth Amendment to legal defense to state courts. The Warren Court's *Miranda v. Arizona* ruling in 1966 extended the protections of the Sixth Amendment still further, providing a series of protections to criminal suspects during police interrogations distilled into the now well-known Miranda Rights."

The Warren Court's rulings were the result and legal equivalent of the "Second Reconstruction" that the Civil Rights groups like the NAACP sought in the streets. These rulings sought to re-establish what Southern Redeemers and the emergence of Jim Crow had undermined — the legal protections to which African Americans were entitled, in the streets and in the courts, under the Constitution. The rulings sought to

curb the violations of African Americans' constitutional protections committed by police and the courts as much as by lynch mobs in the streets. With the "criminal procedure revolution," the Warren Court sought to reconstruct the judicial system by purging the racial hypocrisy that was the target of the black freedom movement.

Conservatives like Detroit City Councilman Phillip Van Antwerp and the white homeowners who made up the readership of the *Northeast Detroit* had never entirely accepted the Warren Court's rulings, and neither did conservative lawmakers nationwide. Two years after the Supreme Court's *Mapp* ruling, the New York State Legislature passed a "stop-and-frisk" statute allowing police officers to stop and question people they suspected of involvement in criminal activity, past, present, and future. If officers had a reasonable suspicion of danger during the encounter, the statute then allowed them to conduct a limited search, or "frisk."<sup>75</sup> This statute, championed by Richard Kuh, a prominent lawyer for the New York state law enforcement apparatus, was an early response by states to the Warren Court's attempt to incorporate them into the protections of the Bill of Rights. Lincoln himself began to repudiate the Warren Court's rulings in the late 1960s. "I hail the editorial on law and order and juvenile delinquency," Lincoln wrote to the *Detroit American* in June 1968.<sup>76</sup> "It will be most

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<sup>75</sup> For the development of stop-and-frisk in response to the Warren Court's "criminal procedure revolution," see Josh Segal, "'All of the Mysticism of Police Expertise': Legalizing Stop-and-Frisk in New York, 1961-1968," *Harvard Civil Rights-Civil Liberties Law Review* 47, no. 2 (2012): 573-616.

<sup>76</sup> "Editorial Praised; Stand on Crime Hailed by Jurist," June 12, 1968, *Detroit American*, Notebook III, Box 6, JHLP.

helpful to me in my continuing call for funds with which to combat juvenile crime and provide quarters for those who must be taken off the streets." The editorial Lincoln praised attacked "newly created laws, the shackling of police by vote-hungry mayors, and an ultra-liberal interpretation of laws until the Constitution now stands for freedom to kill, freedom to loot, freedom to interfere with constituted authority and FREEDOM FROM WORK" (capitalization in original). The editorial also called for a "judicial system that protects the rights of the public in preference to the rights of the criminal element." Here, the editorial clearly opposed the rulings of the Warren Court and began to enunciate the victim's rights language politicians developed at this time as a way of undermining the "ultra-liberal" rulings handed down by the Warren Court. This article, moreover, saw no need to invoke African American crime victims in its appeal for stricter laws. It didn't have to. The enumerated freedoms it opposed invoked the African American community implicitly, not as victims but as criminals. Lincoln's outspoken support for this editorial signaled his shift into the orbit of liberal law and order's latent punitiveness.

After almost two decades of continuous agitation for black freedom, the Supreme Court's *Terry v. Ohio* ruling in 1968 retreated from its "criminal procedure revolution." "Perhaps more than any other decision," one legal historian observed, "*Terry* marked

the end of a constitutional era.”<sup>77</sup> Whereas the Warren Court’s ruling in *Mapp* inaugurated that era in 1961 by restricting unreasonable searches and seizures in state courts, *Terry* found a basis for “reasonable” searches and seizures in the danger police faced in the streets. New York’s stop-and-frisk statute influenced this decision, and in *Terry* the Supreme Court ratified stop-and-frisk policies for police departments nationally. *Terry* and later rulings in a similar vein resonated with the discourse of victim’s rights in that both sought to redress a presumptive imbalance that the criminal procedure revolution of liberal law and order had introduced into the criminal justice system.

By the beginning of the 1970s, Lincoln had turned away from his mentor’s advocacy of these constitutional provisions and begun to embrace the language of victim’s rights. In a speech to the Southern Institute for Juvenile Court Judges in August 1971, Lincoln argued that the existence of a separate juvenile court had been imperiled by recent Supreme Court decisions in *Kent v. United States* and *Gault*. “The impact of *Kent* and *Gault* cases was both good and bad,” Lincoln said. “As a former prosecutor and trial attorney, I always tended to give more procedural rights to the juvenile than had been mandated. However,” he continued, “the Supreme Court has gone far enough... We don’t want the Juvenile Court Justice System to become more form than

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<sup>77</sup> Segal, 576.

substance.”<sup>78</sup> Lincoln castigated the Supreme Court decisions and presented a rousing defense of the juvenile court system. The timing was apt. Lincoln had just been elected president of the National Council of Juvenile Court Judges (NCJCJ). After urban unrest throughout the latter half of the 1960s, and several years of school disturbances in Detroit, the criminal procedure revolution of the Warren Court had begun to suffer setbacks. Here, Lincoln declares that the Supreme Court had gone “far enough” in its reforms to the juvenile system. In 1971, Lincoln had reached a point in the reform of juvenile courts that it took Coleman Young another several years to reach with the police department. But like Lincoln, Young eventually reached that same point. It was a point inherent in the logic of the liberal law-and-order framework: After a series of reforms that introduce increased protections into the administration of criminal justice, that administration is reformed. For Young, the Livernois disturbance demonstrated that his reforms had gone “far enough.” By 1971, Lincoln, too, believed that juvenile courts had been reformed enough. The result in both instances was the criminalization of poverty, youth, and race that gives rise in the years that followed to a dramatic rise in incarceration.

With the ebb of the constitutional era of the Warren Court under way, Lincoln began to use more recent rulings, like that of Talbot Smith, in a local context to limit the

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<sup>78</sup> James Lincoln, “Remember the Good as Well the Bad,” *Juvenile Court Judges Journal* 22 (1971): 28.

rights of radical activists organizing in the high schools. In his April statement on school disturbances, this was clear.

What Judge Smith pointed out in his opinion as Federal Judge, conforms with what I see as a Juvenile Court Judge. The simple fact is that many teachers who wish to teach in peace and without threats, and many students who wish to attend a school without disruption, are having their constitutional and legal rights trampled on by individuals who, from their conduct, care nothing whatsoever for the constitutional rights of others but see these constitutional rights as a shield for their own illegal activities.<sup>79</sup>

Lincoln appealed to the rights of students and teachers who were not involved in these protests in order to undermine both the legitimacy of these grievances as well as the tactics radicals used in pursuit of them. Lincoln had to emphasize their conduct because if he cited their words or beliefs it would be clear they were not merely using their constitutional rights to freedom of speech and assembly “as a shield for their own illegal activities” but to win basic constitutional protections long denied them by racist administrators, police, judges, and public officials. Lincoln claimed that these recent rulings were an attempt “by constitutional and legal means to handle what has been an increasing number of people who simply will not accept either the will of the majority or the democratic process in bringing about change.”

Against the restriction of constitutional protections Lincoln advocated, he claimed he yet supported forms of protest that stayed within the realm of legality. “There are thousands of activists who demand change,” Lincoln admitted, “but who are

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<sup>79</sup> “Statement regarding school disruptions,” April 24, 1970, in folder, “Statements and Speeches, 1960-1967,” in Box 4, JHLP.

willing to keep to legal and constitutional methods. Obviously, these people present no problem to the courts. The crux of the problem," Lincoln continued, "lies in the individuals and groups who simply will not accept either the will of the majority or a democratic process in promoting their objective." Lincoln was "a strong believer in change," he said, "but I firmly believe that it should and must be done through a constitutional and lawful process." He also voiced some skepticism about the goals of the contemporary movement, inflected as it was by a radical vision. Under the guise of "apparently reasonable demands," Lincoln argued, "were demands that ... could not be granted unless the theory of a completely separatist society is accepted." He believed that the means and ends were closely related in this context. "To what extent can conditions be changed by disruption," he asked, "without a complete destruction of our admittedly imperfect democratic process? What would be most likely to develop," he concluded in an apparent nod to the Marxist ideology informing Detroit radicalism at the time "is a civilization devoid of any democratic process whatsoever." This memorandum demonstrates that Lincoln's punitive response to school disturbances was deeply inflected by the radicalization of the movement in Detroit.

### ***Lincoln's Attack on Social Workers***

With the upsurge in radical organizing in the city, then, Lincoln's opposition to the procedural changes inaugurated by the Warren Court emerged from his carefully calibrated even-handedness. From an early advocate of procedural protections for

juveniles, recognizing the potential for police abuse to create social instability, Lincoln moved toward an unambiguous embrace of the punitive side of law-and-order policies, arguing that the Supreme Court had gone “far enough” in the protections it afforded defendants, and demanding an emphasis on the rights not of defendants but of victims of crime. This took the form of a jurisdictional squabble between Lincoln’s court and the state Department of Social Services over the length and type of rehabilitation juveniles committed to DSS underwent. In advocating these positions with the same vigor that characterized his early career, Lincoln illustrated the overlap between liberal and conservative law-and-order policies under the pressure of widespread radicalism. Those policies would come to dominate approaches to incarceration nationally in the decades to come. Moreover, in his many memoranda issued to Wayne County police departments, and with his policy statements, and other public advocacy, Lincoln did much in the late 1960s and early 1970s to shift the response to the youth upheavals in the streets of Detroit to an embrace of punitive law-and-order approaches.

Like his comments on the Hobart Street incident in 1966, Lincoln’s first statement in the wake of the 1967 uprising continued themes he’d established much earlier. Lincoln made ten recommendations to a committee on crime in the Michigan State Senate in September 1967.<sup>80</sup> These included changes to the Michigan Constitution that

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<sup>80</sup> “Statement to Special Committee on Crime of the Michigan State Senate,” September 20, 1967, in folder, “Statements and Speeches, 1960-1967,” Box 4, JHLP.

would implement the recent *Gault* ruling by the Supreme Court giving juveniles the right to an attorney. Lincoln's recommendation regarding the implementation of these and other procedural protections marked a departure from the non-adversarial model he had supported years earlier. And yet at the same time, Lincoln sought an amendment to the state's Youthful Trainee Act that would allow probate court judges such as him to commit juveniles to the state's Department of Corrections. Lincoln only had the power to recommend juveniles to the Department of Social Services, even if found guilty of a crime, or waive them to Detroit's Recorder's Court for a criminal trial. Lincoln's proposal would bypass the Department of Social Services' responsibility for the rehabilitation of juveniles, and its ability to determine their disposition. Lincoln's inability to control juveniles' fate after recommending them to the Department of Social Services would become a recurring point of contention for the remainder of his career as juvenile judge. At this early stage, however, this recommendation suggested a growing dissatisfaction with DSS that would contribute, in the years that followed, to Lincoln's disillusionment with the rehabilitative approach to juvenile penology.<sup>81</sup>

This was not the first time Lincoln publicly expressed some reservations about the qualifications of social workers. In May 1967, before the outbreak of the 1967 disturbance, Lincoln appeared before the General Subcommittee on Education of the

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<sup>81</sup> "Statement to Special Committee on Crime of the Michigan State Senate," September 20, 1967, in folder, "Statements and Speeches, 1960-1967," Box 4, JHLP.

House of Representatives in Washington, D.C., in order to inveigh against HR 6162, a bill that proposed the “participation in formulation and operation” of juveniles in their own rehabilitation.<sup>82</sup> Lincoln opposed this bill on the grounds that “it means that part of the actual control of setting up these programs and also operating them is being given over to delinquents.” In spite of a tendency since the turn of the twentieth century to involve inmates in their own rehabilitation, Lincoln strongly opposed this practice for juveniles. “I am all for social workers,” Lincoln commented, “but the fact is that social workers are having a very hard time being recognized as professionals by other professions.” These comments suggest the emerging tension between Lincoln’s own much-heralded commitment to juvenile rehabilitation through providing more space in juvenile facilities and a tendency to undermine the role of social workers in the rehabilitative process. Indeed, Lincoln’s commitment to rehabilitation appears increasingly dubious over time, while his promulgation of locking up more and more juveniles for ever-longer periods became more pronounced.<sup>83</sup> This latter tendency also closely linked Lincoln to the more conservative law-and-order discourse he initially

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<sup>82</sup> “Statement to the General Subcommittee on Education (Education and Labor Committee of the House of Representatives), Washington, D.C., Concerning HR 6162,” May 10, 1967, in folder, “Statements and Speeches, 1960-1967,” Box 4, JHLP.

<sup>83</sup> In a *Detroit News* article from 11/30/69, Lincoln argued that Detroit’s juvenile problems were “too serious” for peer courts or other attempts at juvenile participation in rehabilitation. See Doug Bradford, “Detroit Is Unlikely to Seek Youth Peer Court; ‘Our Problems Too Serious,’ Judge Lincoln Says,” *Detroit News*, November 30, 1969.

opposed as a staunch Democratic Party supporter and judge in the reform-minded Progressive tradition, but increasingly embraced as the wildcat of the streets intensified.

Still, Lincoln retained at this initial stage shortly after the uprising some faith in a rehabilitative approach to combatting crime that included expansive public spending and a sense of the root causes of crime. This is evident in his recommendation for the hiring of 50 additional social workers to improve after-care services, as well as his urging the Legislature to increase funding for education as a way to combat delinquency. Lincoln cited a position statement adopted by the Michigan Commission on Crime, Delinquency and Criminal Administration, which argued that “a child living in the deprived areas of our major cities is being subjected to forces within his environment and within himself which are pushing him toward his delinquency.”<sup>84</sup> The commission proposed a solution near to his own heart, a reinvigorated public education system. “As a primary social institution with an opportunity to rescue this child from social, as well as academic failure, the school must be equipped to direct additional education resources to his aid to make up for his lack of preparation at home.” These passages suggest the paternalism Lincoln inherited from the Progressive Era that continued to inform his approach to liberal law and order. The Commission concluded its statement with a plea for “increased concern for the role of education of children who

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<sup>84</sup> “Statement to Special Committee on Crime of the Michigan State Senate,” September 20, 1967, in folder, “Statements and Speeches, 1960-1967,” Box 4, JHLP.

live in deprived urban areas as a factor in crime control." With this view of the pathologies of life in black communities, Lincoln also concurred. "One of the tragedies" of the 1967 Detroit upheaval, Lincoln said, was that "thousands of juveniles saw tens of thousands of adults looting." Returning to an old theme, Lincoln noted, "Delinquency is only a mirror of the adult population."<sup>85</sup> Though careful not to invoke race in his statement, Lincoln suggested that, "the number of looters in Detroit shows that we are unlikely to get any great decrease in delinquency soon, if the juveniles model themselves after the adults."

This stood in stark contrast to Lincoln's previous belief, when juvenile delinquency appeared predominately a problem of white youth, and he could not foresee an increase in juvenile delinquency. In a 1964 letter to Gus Harrison, then Director of the Corrections Commission for the State of Michigan, Lincoln argued that, in spite of a 30 percent increase in juveniles of the age of delinquency since 1961, a byproduct of the post-war Baby Boom, there would be "no such increase in the future."<sup>86</sup> "From now on," Lincoln suggested, "there will be a gradual but not spectacular improvement in the situation." At that time, the civil rights movement had not yet reached the heights it would in Detroit less than five years later, dramatically changing Lincoln's prognostications. But with black youth involved in large numbers, and given

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<sup>85</sup> "Statement to Special Committee on Crime of the Michigan State Senate," September 20, 1967, in folder, "Statements and Speeches, 1960-1967," Box 4, JHLP.

<sup>86</sup> Lincoln to Gus Harrison, Director of Corrections Commission for the State of Michigan, October 19, 1964, in folder, "Probate Court Correspondence, 1960-1965," Box 3, JHLP.

the moral turpitude he attributed to black leaders, Lincoln changed his mind. After 1967, he believed juvenile delinquency would continue at its current levels, or even rise, but certainly not decline. By the fall of 1968, Lincoln believed juvenile court faced a dilemma. That dilemma was that schools like Boys Training School at Whitmore Lake were “too severe for many offenses,” and probation was often “too lenient and ineffective.”<sup>87</sup> Echoing his previous attempt to gain for Probate Judges the ability to bypass DSS and sentence juveniles directly to the Department of Corrections, Lincoln proposed a short-term rehabilitation center to which he could sentence delinquents for up to 90 days.

Lincoln’s articulation of this dilemma coincided with his increasing skepticism toward the *Gault* ruling. “For a youth to waive his right to an attorney or to volunteer a statement of guilt, permission is required from him and his parents.” As a result, “Procedurally, it is much more difficult to handle a kid than an adult.” But, of course, “there’s no use arguing whether this is good or bad. ... This is the way it is. The US Supreme Court outlined certain rights for juveniles and I think they were right,” Lincoln said. Still, “If a boy is caught by his mother with jam on his face, she can ask him if he’s been in the jam. With us, he could take the Fifth Amendment.” Here, although Lincoln was careful to pay fealty to the Warren Court’s rulings, his opposition to the constitutional protections for defendants that the Warren Court extended to juveniles is

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<sup>87</sup> “Dilemma of Juvenile Court — Too Much Power, Not Enough,” *Detroit News*, September 16, 1968.

clear. It is telling that he invoked a parental metaphor at this time. The initial purpose of the juvenile court, as Lincoln well knew, was to establish a separate court for juveniles, who were deemed different from adults — less emotionally mature, less developed cognitively — and should as a result be treated less harshly. This justified the paternalism upon which the newly created juvenile system was predicated. Half a century later, it was precisely this paternalism that Supreme Court Justice Abe Fortas sought to remedy with rulings such as *Gault*. In his discussion of juvenile court's current "dilemma," Lincoln laments his inability to treat juveniles in a paternalistic way, instead having to give them recourse to constitutional protections like the Fifth Amendment.

By the end of 1968, Lincoln's skepticism toward social workers was well developed, and a growing resentment of Warren Court protections had emerged. With the upsurge of radical organizing in the city, Lincoln began a frontal assault on social workers. It began when the Department of Social Services released an African American juvenile named Seltman Hayes from Boys Training School in October 1968. Lincoln had committed Hayes to DSS in 1967, when he found Hayes responsible in the shooting death of a Detroit grocer. An editorial in the *Detroit News* called Hayes' seven-month rehabilitation "a dubious miracle," and Lincoln concurred.<sup>88</sup> He argued that, "the schools and social workers ... are concerned with rehabilitating the child. But there's

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<sup>88</sup> n.d., Peter Lochbiler, "Judge Angry at Release of Boy Killer, 15," *Detroit News*; n.d., Douglas Glazier, "Freed After 7 Months; Boy's Role Key Issue in Murder Trial of 4," *Detroit News*; "Seven-month Rehabilitation; A Dubious Miracle," *Detroit News*, November 19, 1968.

more to be considered here than just rehabilitation." On the heels of the Hayes controversy, Lincoln began to advocate the creation of a parole board that would oversee Boys Training School and be responsible for the parole of juveniles committed to its care. Lincoln suggested that the commission be comprised of between three and five members "from any number of fields but not dominated by social workers.<sup>89</sup> Social workers will be social workers," Lincoln explained, "And as long as social workers are running BTS they will run it the way it's run now." His criticism of social workers duly noted, Lincoln continued: "Instead of criticizing social workers, let's change the system." Lincoln's advocacy did succeed in changing the system, as such a board was eventually created, but even then, Lincoln bemoaned the influence social workers exercised on it.

The Seltman Hayes controversy again suggested the changing valence of juvenile delinquency in the era of massive urban unrest. The year before the Seltman Hayes controversy, Lincoln sparked a measure of unrest in the community when he found a white juvenile innocent of the murder of two young girls he had confessed to raping and murdering under the influence of "glue-sniffing."<sup>90</sup> Almost simultaneously, Lincoln waived to adult court an African American youth named Freddie Lane with severe mental retardation charged with the murder of a police officer's son, citing an inability

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<sup>89</sup> "Lincoln Asks Parole Board for Juveniles," *Detroit News*, November 19, 1968.

<sup>90</sup> Judy Bruhn, "Girls' Killer Is Ruled Insane," *Detroit Free Press*, August 16, 1967.

of the state's mental health facilities to care for Lane.<sup>91</sup> Doing so made Lane one of the less than forty waivers per year Lincoln claimed he granted.<sup>92</sup> While the white youth faced up to four years confinement in the state's juvenile facilities, Lane went to trial as an adult and was found guilty, receiving a life sentence.<sup>93</sup> At the root of the alleged change in juvenile delinquency, proponents of this view argued, was a change in juveniles themselves. The same *Detroit News* editorial that suggested Hayes' rehabilitation was a "dubious miracle" echoed Lincoln's attack on the rehabilitative approach favored by many social workers, which formed the basis for Hayes' release after only seven months. "The trouble lies in the supposedly enlightened view that juvenile criminals, whatever their crime, are but misguided children in need of guidance." That was precisely what Lincoln thought they were when he took over the juvenile court bench, and it was the basis of his liberal law-and-order approach. "As a bar to hanging child pickpockets," the editorial continued, "it's a valuable concept. As a guide to the treatment of dangerous youths — many of them 'juveniles' only by legal definition — it is woefully deficient." Much as proponents of an increased police presence in African American communities argued that doing so would protect those communities, the editorial argued that this dramatic change in the administration of juvenile justice would in the end protect the rehabilitative approach. "Not the least of [a

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<sup>91</sup> "Teen Faces Adult Trial in Killing," *Detroit Free Press* August 30, 1967; "Mentally Retarded Youth Faces Trial as an Adult," *Michigan Chronicle*, September 9, 1967.

<sup>92</sup> Lincoln, *Juvenile Court Judges Journal*, 28.

<sup>93</sup> Peter Lochbiler, "Cobo Hall Knife Killer Is Given Life Sentence," *Detroit News*, December 1, 1968.

parole board's] benefits, properly constituted and properly run, would be protection of enlightened, rehabilitative juvenile penology from punitive public reaction to its own overoptimism." This convoluted sentence neatly parallels its equally convoluted logic. To many, the view that black youth were somehow more venal as delinquents than their white counterparts justified an attack on the rehabilitative approach.

Lincoln won another significant victory in his war of attrition against social workers with a ruling against the Department of Social Services in March 1969.<sup>94</sup> Like the Seltman Hayes case, at the heart of this dispute was a difference of opinion over the treatment of a juvenile committed to DSS. In this instance, the judge was James Kallman, who presided over the Ingham County Probate Court. Kallman had recently committed a boy accused of breaking and entering and other charges to Boys Training School. But caseworkers at DSS reviewed the case and determined that a less severe treatment was in order, releasing the youth to his home. Kallman then held social workers Robert Worgul and George Logan in contempt of court, along with DSS director Bernard Houston. According to news reports at the time, Kallman's contempt order marked the first time anyone had "challenged the Social Services Department's position that only it, under law, has the authority to determine who will be admitted to a training school." In the days before the contempt hearing, at which Judge Lincoln presided along with Kallman and a third Probate Judge, DSS backtracked and admitted the boy to BTS. This

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<sup>94</sup> Tim Holland, "Court Wins BTS Dispute," *State Journal* (East Lansing), March 27, 1969.

constituted a partial victory for Lincoln. One local paper predicted, presciently, that, “Now that they have won the commitment battle, probate judges may escalate the war to obtain authority over the length of stay of juveniles in training schools.”<sup>95</sup>

The victory was only partial, however, because DSS maintained its authority to determine not only the length of time but also the treatment of juveniles committed to its care. This attempt to hold onto a modicum of its jurisdictional purview may have reflected what social workers considered a remarkably arbitrary assertion of authority on the part of the judges. Robert Worgul, one of the social workers held in contempt, noted years later that the youth in question had been ordered to BTS due not to an overwhelming record of juvenile profligacy but rather because he “lipped off before the judge,” who then, “took great offense, and went beyond customary procedure, and ordered him to a training school.”<sup>96</sup> This clarifies the relative leniency exercised by caseworkers in this instance, after conducting what Worgul called their “customary thorough job of determining where the youth should go.” Like the Hayes incident previously, the incident suggests the tension between what were increasingly opposed approaches to juvenile justice. Here, Lincoln’s commitment to a rehabilitative approach eroded still further, and he continued to prosecute his case against DSS and social workers’ rehabilitative approach in general.

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<sup>95</sup> Tim Holland, “Court Wins BTS Dispute,” *State Journal* (East Lansing), March 27, 1969.

<sup>96</sup> Email correspondence with the author, 6/3/13.

At this time, a number of important developments converge. With the *Gault* ruling, the Supreme Court effectively obscured the historical distinction between adult and juvenile defendants, giving juveniles the same recourse to the criminal procedure protections of the constitution while at the same time undermining the paternalistic approach that governed the inception of juvenile justice in the Progressive Era. At the same time, civil rights activism was increasingly associated with criminality, and African American leaders advocating civil disobedience, to say nothing of revolutionary activism, were accused of abandoning “responsible,” i.e. law-abiding, leadership. In keeping with these developments, juvenile delinquency itself came to be viewed as a problem of law enforcement in African American communities. Proponents of this increased police presence in African American communities deployed African American crime victims rhetorically to build support for these policies, and avoided accusations of racism because African American crime victims to some extent supported increased policing in their neighborhoods. Finally, alongside these developments, juvenile delinquents were cast as juveniles “only by legal definition,” cynically and purposefully committing adult crimes while protected from more serious consequences by the peculiarities of the juvenile justice system.<sup>97</sup> With these many developments taking place

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<sup>97</sup> This accusation was by no means a new development, but commentators seemingly forgot that white delinquents had been accused of similar cynicism in the early 1960s.

concurrently, a shift toward increasingly punitive policies for juvenile delinquents emerged in the years that followed.

By 1970 then, following the upheaval in the streets and high schools, Lincoln's position on juvenile penology had changed dramatically. At the outset of his career, he favored an approach that combined the judicial tradition with the most advanced human sciences. By early 1970, Lincoln had distanced himself from this approach. He actively sought, in collusion with the Detroit Police Department, to undermine the movements for civil rights and Black Power. He lamented the procedural protections extended to state juvenile courts by the Supreme Court. He attacked social workers and their role in the juvenile justice system and sought to undermine and limit it. He spoke in terms of victims' rights rather than the rights of defendants, elevating the former at the expense of the latter. In doing so, his calls for reform no longer resembled the tenets of liberal law and order, which sought to shore up the legitimacy of the carceral state by hemming in its most egregious systemic and personal biases. Instead, Lincoln embraced a far more punitive ideal for juvenile penology. That ideal saw juvenile delinquents as juveniles "only by legal definition" and sought to implement an approach in which rehabilitation played almost no part. This approach focused far more on incarceration. It reflected a shift that had taken place in how victims were understood in relation to Truman's "four freedoms." The major source of illegitimate street violence, liberal law and order now contended, was not white racial violence directed against African

Americans but street crime that largely victimized African Americans, carried out by poor and working class black youth. The upheavals of the 1960s — the black-led protest movements that embraced direct action, flouted unjust laws, and embraced revolutionary ideology, played a decisive role in this change.

It was precisely this Lincoln, inveterate enemy of the social movement in Detroit, espousing a punitive juvenile penology closely linked to race, that the *Detroit Free Press* resurrected in the wake of the Cobo Hall incident, giving further credence to Lincoln's by-then well-established brand of juvenile justice, far-removed from a rehabilitative vision, and skeptical of, if not hostile to, the rights of juvenile defendants in his courtroom.

### ***“Rebellion Has Come of Age”***

That Lincoln's expertise was sought in the aftermath of the Cobo incident, then, made sense. He was a respected authority on juvenile justice not just locally but nationally. But by 1976, Lincoln's position had changed. In 1975, he introduced a new policy for juveniles, replacing probation with sentences.<sup>98</sup> The directive provoked controversy among juvenile court staff. “Some juvenile court employees,” one newspaper reported, “have argued that the new policy will not serve to rehabilitate the youthful offenders, and that some referees — who hear most of the court's cases — may abuse the sentencing guidelines.” Lincoln was having none of it. “I believe in doing

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<sup>98</sup> “Crackdown Ordered for Juveniles; Sentences Replace Probation,” *Detroit News*, July 1, 1975.

what works," Lincoln said, "and what we've been doing hasn't worked." The tumultuous days of the 1960s, his association of civil rights protest with crime and crime with African American youth, a belief that the juvenile justice system had been reformed enough and that its purview was now not rehabilitation but "containment" of juvenile delinquency unresponsive to rehabilitation, an embrace of a newly-defined victim for whom it was the court's responsibility to secure "freedom from fear" — all these developments marked the stages of Lincoln's career as juvenile judge of one of the largest jurisdictions in the nation. The response he articulated in light of the Livernois and Cobo incidents, then, was predictable.

Lincoln told the *Detroit Free Press* that there were some 400 young people who had been convicted of serious crimes roaming the streets. He blamed the Department of Social Services for their freedom, and called for more juvenile judges and facilities. He also buried his disdain for current rehabilitative practice in his typical folksy idiom. "If two women brought a child before King Solomon today," he said, "each would be assigned an attorney and the child would be institutionalized for psychiatric observation."<sup>99</sup> In his more punitive mode, Lincoln seemed to prefer King Solomon's original solution.

Embedded in this statement were two of Lincoln's most important positions on juvenile reform, developed in the crucible of the previous decade's dramatic social

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<sup>99</sup> Thomas Fox, "Juvenile Court Judge Leaps into Limelight," *Detroit Free Press*, September 7, 1976.

instability. His quip about psychiatric observation highlighted Lincoln's history of tension with social workers that by this time had reached a fever pitch. He openly mocked the casework approach that he heralded at the start of his career when discussing what he at that time considered a very fruitful marriage of law and social science unprecedented in the history of the legal system. Lincoln directed his second criticism at the many procedural reforms that the Warren Court introduced into the juvenile court during his tenure. These include the right to a lawyer that Lincoln now derided. Those rulings sought to place the relationship between judges like Lincoln and the juveniles over whom he presided on a more equal footing, and eradicate the informal paternalism, as well as race and class bias, that had guided juvenile court officials since the inception of the system. In his mention of the two hypothetical women being assigned attorneys, Lincoln ridiculed these rulings and the way in which they undermined his previously unquestioned ability to pass his own brand of whimsical judgment on those who appeared before him.

This was not the first time that Lincoln would address both of these issues, and it would certainly not be the last. In the years that followed, Lincoln continued his attempts to reform juvenile penology in Michigan in order to diminish the power of social workers and increase the power of the courts. This was evident in the period after the Cobo incident, when Lincoln's solution to the deficiencies of the Department of Social Services shifted emphasis in one very significant way. In a statement discussing

the failings of the Youth Parole and Review Board, Lincoln suggested that institutional space was no longer the main issue in the fight against juvenile delinquency. Rather, the issue was, "who in our society shall make the decision as to whether a youth is dangerous and must be removed from the street?"<sup>100</sup> Lincoln believed that the Youth Parole and Review Board should be increased to a nine-member board. In 1968, in the wake of the Seltman Hayes controversy, Lincoln recommended the creation of a YPRB, "not dominated by social workers."<sup>101</sup> Eight years later, he recommended that the now-existing YPRB be expanded, as "we have left these decisions to the social workers and disaster has resulted."<sup>102</sup> At the same time, of course, Lincoln argued "Social workers are vital and important to the Juvenile Justice System. We need them! They are wonderful! But they should not be making decisions that should be made by a Youth Parole and Review Board that represents a wide variety of backgrounds."

Lincoln's support for victim's rights was also pronounced in the period following the Cobo incident. "The injustices ... that are being perpetrated on the victims of crime in Wayne County," he said, "are 100 times greater than any injustices allegedly being imposed on juveniles by the juvenile justice system."<sup>103</sup> Moreover, he said, "just as

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<sup>100</sup> "Statement RE: Youth Parole and Review Board," June 10, 1976, in folder, "Statements and Speeches, 1971-1976," Box 4, JHLP.

<sup>101</sup> "Lincoln Asks Parole Board for Juveniles," *Detroit News*, November 19, 1968.

<sup>102</sup> "Statement RE: Youth Parole and Review Board," June 10, 1976, in folder, "Statements and Speeches, 1971-1976," Box 4, JHLP.

<sup>103</sup> "Statement RE: Youth Parole and Review Board," June 10, 1976, in folder, "Statements and Speeches, 1971-1976," Box 4, JHLP.

a person accused of being a danger to society has a right to a hearing before being *deprived* of his liberty, society should have a similar right to a hearing before that person is allowed to *regain* his liberty. It is time that the people of Michigan were given their rights," he concluded. Lincoln made similar comments in December 1976 in a statement on revisions to the state juvenile code then under discussion.<sup>104</sup> "In my view," he argued, "the courts have given the defendants as much procedural protection as this society can stand without creating a situation where every citizen loses the most basic right of all — *the right to live without fear of assault on their persons or property*" (emphasis in original). "Our system," he continued, "now gives more protection to the accused than any system ever devised in the history of mankind. It's time to enact legislation that is directed at giving more protection to the citizens who are being assaulted."<sup>105</sup> In the wake of Lincoln's advocacy and the tense atmosphere surrounding the issue of juvenile delinquency, the Department of Social Services introduced significant changes in its policy. Director John Dempsey, for example, introduced a policy in the fall of 1976 that allowed for mentally competent youth under 18 years old to be committed to state correctional facilities.<sup>106</sup> Lincoln praised the move.

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<sup>104</sup> "Statement by Judge James H. Lincoln Concerning Substitute for Revised Juvenile Code (Discussion Draft)," December 13, 1976, in folder, "Statements and Speeches, 1971-1976," Box 4, JHLP.

<sup>105</sup> Michigan passed victim's rights legislation in 1985. See the Michigan Crime Victim's Rights Act, Public Act 87 of 1985.

<sup>106</sup> "Young Felons Face Lockup; State Changes Policy," *Detroit Free Press*, n.d., "Newspaper Clippings, 1975-1980," Box 1, JHLP.

Following a disturbance at another local high school a month after the Cobo incident, Lincoln ordered a “get tough” policy on school disturbances, requiring a \$2,000 bond for youth involved in school disturbances at schools they didn’t attend. “School disturbances,” Lincoln said, “will now be given the same top-priority treatment in the court as gang activities.”<sup>107</sup> But Lincoln had long made little distinction between civil rights protest, juvenile delinquency, and the enforcement of middle-class norms regarding vices in his courtroom. The order merely exposed young people still more to the social control Lincoln exercised. As a result, nineteen juveniles were held in the juvenile home until their preliminary hearings a week later. Finally, soon after the Cobo incident, Lincoln saw a long-time dream come true, long after he had abandoned his faith in rehabilitation, when the Wayne County Board of Commissioners voted to spend nearly \$243,000 to hire new judges, referees, prosecutors and other staff for the juvenile court.<sup>108</sup>

Lincoln retired as juvenile judge in 1977. At decisive moments in the city’s history, as deindustrialization intersected with a generation of young people demanding access to the promises made to a previous generation, as well as a dramatically different approach to economic and social policy to produce tremendous instability, Lincoln contributed to the emergence of a decisive shift in juvenile penology. In 1980,

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<sup>107</sup> Jack Kresnak, “Juvenile Judge Gets Tough With Invaders at Schools,” *Detroit Free Press*, September 16, 1976.

<sup>108</sup> Robert Ostmann, Jr., “Board Votes \$243,000 for Youth Court,” *Detroit News*, August 27, 1976, “Newspaper Clippings, 1975-1980,” Box 1, JHLP.

construction of Detroit's new juvenile justice complex was completed, and it was christened the James H. Lincoln Hall of Juvenile Justice, in tribute to Lincoln's many years of service. Like the Renaissance Center downtown, the new juvenile hall incorporated "riot renaissance" from the ground up. In between sets of windows along its western length, the Lincoln Hall boasted rows of non-windows. The same size and shape, set equidistant from one another, thereby mirroring the actual windows, these "windows" are bricked up, obstructing the vision of the incarcerated juveniles and the judges who preside over them of the city without. Lincoln's own ambivalent legacy was mirrored in the facade of the building that bore his name.

James Lincoln may have underestimated the explosive rise in prison populations that would contain the seething discontent in Detroit's streets in the 1970s and beyond. But at the same time, he spoke presciently about the future of cities in the years that would follow. "The riots of each generation have taken different and unforeseen courses," he observed. "It would be safe to predict that the explosions of the 1980s will be better directed, for the leadership of the poverty areas are far more knowledgeable than ever before in history." With the end of the War on Poverty's carceral nexus with the War on Crime, Lincoln continued, "the sum total of what is occurring is that these poverty areas are being left largely to their own devices. What they devise within the next decade is apt to be unpleasant and hard to contain within the poverty areas. They

have leadership and they do not intend to sit by and do nothing." With that, Lincoln concluded, "Rebellion has come of age."<sup>109</sup>

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<sup>109</sup> James Lincoln to George Arthur Lincoln, April 2, 1973, in folder "Probate Court Correspondence, 1970-1975," Box 3, JHLP.

## Chapter Five. “A Distorted and Misshapen Camelot”: Raymond Peoples, Young Boys, Inc., and the Street Sale of Heroin

In my worst rage, confusion, and despair, there have always remained two poles in my life: my family and the Party. Together they gave my life sense. Without the Party, my family life was a hopeless future, a meaningless knocking about from one job to the next, a desperate search for survival ... once I had the Party, my family provided me with a sense of loyalty, comradeship, and solidarity that inspired my hopes and love for the organization.

- David Hilliard, *This Side of Glory*

Since syndicate crime is illegal by definition it intrinsically represents a threat to legitimate sources of social control and authority and thus represents a political force ... criminal behavior may be thought of as a laboratory or crucible of normative evolution. Thus the behaviors that a society labeled as criminal contain the seeds of experimentation, innovation, and invention and may possibly be tomorrow's norms.

- Thomas Mieczkowski, *Street Selling Heroin: The Young Boys Technique in a Detroit Neighborhood*

Whether rehabilitation is even a goal of our current penal system is open to question.

- Ralph Guy, U.S. District Judge, Eastern District of Michigan

Detroit's Tenth Police Precinct engendered superlatives. The spark that lit the 1967 insurrection was struck in the Tenth Precinct, burned brightest in the Tenth Precinct, and threw into stark relief the tensions within the black community living in the Tenth Precinct. It may have been the most radical of the city's neighborhoods, home to Rev. Albert Cleage, a Black Nationalist minister who founded the Shrine of the Black Madonna Church. The region was also the site of the New Bethel shooting incident during a meeting of the Republic of New Africa, yet another Black Nationalist organization formed in the city in the 1960s. It was here that police brutality registered as the most popular cause of the 1967 rebellion, and it was here also that the rebellion

did the most damage. In the 1970s, the district had the highest crime rate in the city and had become its most notorious vice district.<sup>1</sup> It was here, too, that police had begun to gain a reputation as the most involved in the city's heroin traffic. And finally, it was in the Tenth Precinct that a group of innovative young men created one of the country's most notorious drug distribution organizations, Young Boys, Inc., or YBI.

Raymond Peoples was one of YBI's founding members. Amid massive youth unemployment, acquainted with the relatively lenient juvenile court system, and drawing on the street knowledge of the drug trade then current in Detroit, Peoples and YBI created an innovative system of heroin distribution known as the "runner" system. It began not far from where Peoples lived in the Tenth Precinct. There, juveniles organized into small street units served as "runners," selling heroin to customers in public view on the city's streets. They held onto only a few envelopes of heroin at a time, stamped with a YBI-affiliated brand name like "Hoochie Con" or "Murder One" in quarter-inch letters. A crew boss supervised the operation, and was both the source of drugs and an organizer of the runners and their labor. The crew boss was often armed, and protected the crew from robbery by rival crews or heroin users. He — the crew boss was invariably a young black male, as were the runners with few exceptions — also

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<sup>1</sup> Howard Kohn, "22 Police Face Dope Quiz Indictments: 10th Precinct First Target," *Detroit Free Press*, April 26, 1973.

protected the crew's heroin supply, hidden but nearby to allow frequent access. It was a brilliant system developed in an ever-evolving dialectic with the city's law enforcement.

The runner system YBI developed owed as much to the city's history of heroin distribution as it did to the social and economic conditions of Detroit or the individual experience of Raymond Peoples. In the 1960s, "dope houses" predominated as the ubiquitous form of heroin distribution in Detroit. Street sales existed, but dope houses developed in response to the risks involved with street sales, chiefly the ease of surveillance and risk of arrest those sales entailed. Street sales also flourished in a relatively few locations in the city, mostly downtown, while dope houses could be found in the city's neighborhoods. Their residential location made dope houses a fraught object of police attention. Policing vice has long been characterized by ambivalence. In the early 1900s, for example, San Francisco police permitted opium dens to operate in that city's Chinatown district until those dens encouraged interracial commingling.<sup>2</sup> In Detroit in the 1970s, journalist Howard Kohn exposed active police collusion in the Tenth Precinct's dope houses. This confirmed a lingering suspicion on the part of Tenth Precinct residents, who had long suspected the police of as much, and informed a sense of a different kind of police brutality: allowing vice to flourish in non-white neighborhoods.

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<sup>2</sup> See Eric Schneider, *Smack: Heroin and the American City* (Philadelphia: University of Pennsylvania Press, 2008), 3.

The trial that resulted from Kohn's investigation brought about the collapse of the dope house method of drug distribution. After several years of experimentation, Raymond Peoples and other illicit entrepreneurs developed the runner system. That method migrated the adult street sales at open-air drug markets at the intersection of John R and Erskine Streets downtown to the corners of the city's outlying neighborhoods. It also imported the branding developed in the competitive environment of open-air drug markets to the runner system. Branding was crucial to YBI's method, and the group even introduced a "money back guarantee" for its product, as well as an "assembly line" style of producing heroin for the consumer market.

These innovations suggest what was perhaps YBI's most important contribution to Detroit's illicit underground economy: the introduction into it on a wide scale of the precarious capitalist social relations then emerging in the service sector. Indeed, the system became so prevalent on the streets of Detroit that "YBI" or "young boys" became a generic description for "anybody who is black and young and selling dope."<sup>3</sup> Before YBI, a more or less entrepreneurial model dominated the heroin trade. Anyone who could secure a bit of heroin could cut it, sell it, and profit. The city had countless entrepreneurs looking to benefit from the relative ease the drug lent to these practices. But many of these entrepreneurs were themselves heroin users, and their drug sales

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<sup>3</sup> Thomas Michael Mieczkowski, "Street Selling Heroin: The Young Boys Technique in a Detroit Neighborhood" (Ph.D., Wayne State University, 1985), 147.

supported their own habit. This precluded the development of complex, exploitive relationships among individual entrepreneurs. The labor they exploited was their own.

Dope houses — a distribution method also dominated by adults — took individual entrepreneurialism to a larger scale, creating a division of labor within the distribution system, but they were often short-lived. Once the product was sold, the dope house collapsed. YBI's runner system was different. It gave direction to the young people who had just years before organized themselves as informal work groups in attempts to ameliorate the poverty they faced. It employed juveniles, who were supervised and paid a wage by a crew boss who was effectively their manager, mediating between their labor and the product they were paid piecemeal to distribute. Crew bosses were the equivalent in the runner system of dope house operators. If a runner could secure a heroin supply, he could become a crew boss and begin managing the labor of others. Some runners aspired to become crew bosses, but like the service economy that was fast becoming one of the city's few remaining employers, the average runner's relationship to the illicit drug economy remained precarious. Many worked a day or two, bought some food for their family and a pair of new sneakers, and disappeared from the crew.

What was true of runners was true throughout the organizational hierarchy of YBI's runner system: Few people involved in the sale of heroin in Detroit were active users. Their involvement was about making money, and in this respect was a direct

response to the devastation that the city's economy experienced in the 1970s. In this way, YBI introduced to a generation of young people an idiosyncratic opportunity to act as the equals of anyone. At the same time, the introduction of capitalist social relations into the illicit drug economy undermined the sense of democratic investment young people had in the informal work groups of years before. YBI's runner system turned them into workers, whereas earlier they had been entrepreneurs. Still, the equality to which they aspired was rooted in the illegal practice of drug sales, and hence destabilized the police order of the city. This necessitated a punitive response.

It took Detroit police four years to build an effective case against Young Boys, Inc. Doing so required cooperation with federal authorities and, crucially, the use of wiretaps. Both of these were recent innovations that changed the relationship between local and federal law enforcement and curtailed the constitutional protections YBI members were ostensibly guaranteed as citizens. Indeed, YBI — and in particular its innovative runner system utilizing juveniles — was instrumental in focusing federal law enforcement under the Reagan administration on Detroit's burgeoning drug traffic. YBI, then, contributed to the introduction of a series of changes in the legal approach to drug distribution, which can be characterized as the criminalization of poverty, youth, and race that contributed to the rise of mass incarceration.

## ***Detroit's Tenth Precinct***

Detroit's Tenth Precinct has long been associated with the changing fortunes of the city's African American community. It was to this area that black people began to move following World War II, aided in no small measure by the Supreme Court's 1948 decision in *Shelley v. Kraemer* striking down racial covenants. The booming postwar economy and the concomitant rise in employment opportunities accorded the city's black residents the opportunity to leave behind the east side ghetto to which they had been confined for much of the twentieth century. One of the most important enclaves to which blacks moved in the postwar period was the collection of neighborhoods bounded by the Penn Central railroad tracks to the north, West Grand Boulevard to the south, the John C. Lodge freeway to the east, and the Jeffries freeway to the west. This area made up the Tenth Precinct.

The movement to the near northwest side, as this collection of neighborhoods was also known, represented not only a physical but also an intellectual separation from the black ghetto. The Tenth Precinct came to be associated with a relatively affluent layer of middle class black professionals and autoworkers benefitting from the postwar economy's largesse. It was black people from these more stable economic sectors who first settled in the Tenth Precinct. The social institutions that characterized this multi-faceted African American community migrated along with them, and the Tenth Precinct area became a center of social, political, and cultural life in the city. By the 1960s, the

near northwest side had become a hotbed of political radicalism, and represented a highly organized sector of the city's black population. As the near northwest side became a symbol of relative affluence, Detroit's lower east side remained a mostly African American ghetto. Woodward Avenue marked the dividing line between the east and west sides of Detroit, and those more affluent members of the black community on the west side came to be known pejoratively as "e-lites" to the poorer residents of the east side living amidst a landscape defined by factory smokestacks and ramshackle poverty.

It was not long before the tensions paved over by Woodward Avenue and the dispersal of the city's black community by infrastructural projects took root once again in the Tenth Precinct. In 1950, less than three percent of its residents were African American. Just ten years later, that number had skyrocketed to nearly seventy-five percent.<sup>4</sup> With these changes, the near northwest side began to replicate precisely those social conditions that upwardly mobile African Americans sought to escape. Property owners began subdividing apartment units, packing more people into poorer conditions. Soon, poor and working class African Americans began to settle in the area, drawn by its now-affordable rental prices.

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<sup>4</sup> Thomas Sugrue, *The Origins of the Urban Crisis: Race & Inequality in Postwar Detroit* (Princeton, 1996), 243-6.

It was at this time that the near northwest side also became a center of the informal economies that poor and working class people have long practiced — gambling, prostitution, and drugs. At the start of the 1970s, the near northwest side had supplanted even the most longstanding vice districts in the city as its unquestioned drug epicenter. This gave rise to a tension within Detroit’s black community between members of an aspiring middle class seeking to distance themselves through their achievements and those members of the black community that white racial stereotypes always took as its representatives but who were really its most marginalized and downtrodden — poor and working class people. The antipathy between these two forms of social organization emerged in the 1967 riot.

### ***Heroin in the City: Rethinking Police Brutality Before the Riot***

Detroit’s urban upheaval in 1967 is often attributed to accusations of police brutality. It began at an afterhours drinking venue, a “blind pig” as they were called, near the intersection of Twelfth Street and Clairmount. On July 22, 1967, the blind pig in question was hosting a celebration for Vietnam veterans returning home from the war. As night wore into morning, police raided it, arresting eighty-five people in attendance. The rebellion erupted soon after, as accusations of physical brutality against some of those arrested spread among the crowd, and bottles started flying.

But a more expansive definition of police brutality may shed light on the rebellion’s causes in a way that links that explosion to the city’s heroin traffic. That

traffic was rapidly expanding in the city, even before 1967, and the Tenth Precinct was one of its most important locations. This more expansive definition of brutality relies in part on understanding police corruption not only as collusion with criminals but also in the everyday practice of law enforcement — the decisions, some arbitrary, others informed by pecuniary interests well beyond one's salary, that police officers make every day, on any given corner of the city's streets. Or in the hypocritical differences, in this case, between a decision on the one hand to raid a blind pig celebrating the return of several war veterans, arresting almost one hundred local people attending it, and on the other to apparently ignore dope houses just blocks away that residents of the near northwest side increasingly suspected, or knew firsthand, were operating with the full knowledge of, and at times active participation from, Tenth Precinct police officers.

Shortly after the uprising ran its course, the Detroit Urban League and *Detroit Free Press* conducted a survey that suggested the possibility.<sup>5</sup> One of the report's articles highlighted precisely this approach among police officers. Its headline captured much of this sentiment, "Mental Attitude of Police Is Called Part of Brutality." But the article itself revealed additional examples of the way that this "mental attitude" suggested brutality for citizens of Detroit. These include "a friendly wave" to a white man while ignoring a black person; the belief among many of the city's African Americans that

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<sup>5</sup> Detroit Urban League and Detroit Free Press, "A Survey of Attitudes of Detroit Negroes After the Riot of 1967," "Survey of Negro Attitudes After the 1967 Riots," Box 65, Detroit Urban League Records, Bentley Historical Library, University of Michigan.

“law enforcement in his neighborhood is different from that in white areas,” and the belief that “crimes by Negroes against other Negroes are treated as less important than crimes involving whites.” The article revealed a perception that “prostitution and other nuisances are allowed to flourish” in black neighborhoods. This was indeed the case, and it was a pattern police had established for vice districts since the very beginning of municipal policing. The article attested to an expansive definition of police brutality that included unequal policing practices. This was a particularly significant development in the Tenth Precinct, by then the city’s pre-eminent vice district. It suggested that the drug trade in the Tenth Precinct emerged and involved the police well before the uprising took place, and casts some doubt on folk interpretations of the proliferation of heroin after the uprising as a government conspiracy. Heroin users swept up in the first postwar wave of heroin addiction often invoked police collusion alongside their own use, one expression of a hostile social world from which they felt deeply alienated.

The city of Detroit’s first official incursion into the treatment of people addicted to heroin began in the 1950s. Mayor Albert Cobo created a Mayor’s Committee for the Rehabilitation of Narcotics Addicts in 1951.<sup>6</sup> This accompanied the first wave of heroin use in the postwar period, largely the result of wartime service in the Pacific theater, in particular during the Korean War. Several former heroin users stated they had begun

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<sup>6</sup> Charles Stella, "Status of Drug Abuse in the City of Detroit," December 13, 1969, "Papers Concerning Methadone and Drug Rehabilitation (4)," Box 1, Methadone Treatment for Heroin Addiction Oral History Project, Bentley Historical Library, University of Michigan.

their own heroin use in this way.<sup>7</sup> Still more revealing, however, was the way in which their use intersected with a much broader alienation among these men. This involved the unique predicament of being a black man in the United States. Richard Martin noted that in his youth, "I thought that if you told the truth, that the truth would win, that's what I was taught."<sup>8</sup> Martin's mother taught him this, but was, according to him, "gullible enough to believe a lot of things. She believed that if you worked, and you told the truth, that eventually you would get what you need." He eventually realized this was "a bunch of lies," that "everything you were taught in school was all lies, and that the church has nothing for you." Martin disagreed with his mother about the extent to which the politics of respectability applied to African American people. "When I was young, I was raised in a culture where if some guy went to school he got to be a Pullman porter. And I didn't relish the idea of going to school to be a Pullman porter. At this time, a young black, if he went to school and got an education, you couldn't do anything with it, so education turned me off. It took you sixteen, seventeen years of school to be a redcap." Martin suggested that his alienation from any path to success on even the most limited terms played a large role in his heroin use: "I think society is very phony, a jungle, but I'm better able to cope with it than before." For Martin, heroin use corresponded to a tremendous sense of alienation from the hypocritical functioning of

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<sup>7</sup> See Methadone Treatment for Heroin Addiction Oral History Project, Bentley Historical Library, University of Michigan.

<sup>8</sup> Richard Martin Interview, "Martin, Richard," Box 1, Methadone Treatment for Heroin Addiction Oral History Project, Bentley Historical Library, University of Michigan.

U.S. society. Martin was drawn to heroin use in part through his view of the relatively proscribed future he had in the United States, even if he pursued an education. This insight produced a tremendous sense of alienation in Martin with which he had difficulty coping when he was younger.

Elder Hammett described a similar sentiment informing his own heroin use while serving in the Army. Hammett initially signed up for the Army Reserves, hoping in that way to avoid the draft. Perhaps due to bad timing, he was sent to Korea at the outbreak of hostilities there, before the U.S. declared a national emergency. Hammett believed this constituted a violation of his agreement to serve in the Reserves. "This was one of the things that I always felt was a rotten deal," Hammett said, "and everybody in the outfit felt the same way." Hammett said that more than half of his unit was experimenting with narcotics. "Everybody was trying to get back home, get rotated, and we felt that we had been given a dirty deal. We were always doing something to rebel," Hammett said, and heroin "was one of the things that we did."<sup>9</sup>

As Detroit's heroin trade proliferated, the Detroit Police Department chafed at the Supreme Court's incorporation of the protections of the Bill of Rights at a state level. The role of police in the city's heroin trade came up frequently in these interviews, both among former heroin users and among law enforcement officials. Law enforcement

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<sup>9</sup> Elder Hammett Interview, 1970, "Hammett, Elder (draft)," Box 1, Methadone Treatment for Heroin Addiction Oral History Project, Bentley Historical Library, University of Michigan

officials generally cited the difficulty that Warren Court changes in policy such as the use of search warrants had introduced for police officers. In 1970, Wayne County Sheriff William Lucas suggested, "even if I know that across the street there is a house dispensing drugs, it is virtually impossible for me to go in and arrest those people and convict them. It's impossible because I can't just go and break their door down. If I do go through the necessary steps of obtaining a search warrant, by the time I go, knock on the door, identify myself, most of them have these narcotics stashed in such a way that they can easily be flushed away, burned, or destroyed in some other way."<sup>10</sup> Lucas also defended the integrity of police officers from accusations of corruption: "The men on the street, the ones who are directly involved, I know personally and I think that most of these men are so dedicated ... they put their lives on the line every time that they make an arrest, and I'm not convinced that these men would get involved with narcotics. I'm not convinced that there is corruption." Lucas attacked the credibility of heroin users who suggested that involvement. "Remember now they are the most unreliable people in the world, people who would steal from their own parents," Lucas said. "They really don't know what they're talking about and are not reliable people to be able to make statements of this kind. They will make self-serving declarations because it's to their advantage." In contrast, James Brickley, U.S. Attorney for the Eastern District, admitted

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<sup>10</sup> William Lucas Oral History, June 8, 1970, "Lucas, William," Box 1, Methadone Treatment for Heroin Addiction Oral History Project, Bentley Historical Library, University of Michigan.

that police often took an ambivalent approach to policing vice in their districts. "Most of the corruption has taken place in gambling, in prostitution and vice," Brickley said, "because those things were never viewed too seriously; they are what we call consensual crimes." Brickley disagreed, however, that narcotics enforcement was capable of falling victim to a similar pattern, because it was "relatively too new." Liberal Democrats took a dimmer view. George Crockett, a prominent African American New Dealer, lawyer and judge in Detroit, found police complaints about the Warren Court's constitutional protections specious. "I've listened as attentively as I can to the police department views that they are hamstrung by some of the judicial opinions," Crockett said, "I'm not really that impressed by it." Crockett scoffed at the notion that constitutional protections limited police ability to penetrate into the upper echelons of narcotics trafficking. "Somewhere along the line, somebody's protecting somebody," Crockett observed regarding the limited inroads police have made into the heroin trade in Detroit.

Law enforcement officials had good reason to inveigh so stridently against the belief that police were involved in the heroin trade: Henry Marzette, a pioneering African American former police officer was at the time the head of one of the city's most powerful drug organizations.<sup>11</sup> Police involvement in narcotics trafficking was by no means a new phenomenon. Long before Marzette's own ensnarement in it, the dictates

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<sup>11</sup> For the contemporary account of Marzette from which these details are drawn, see Howard Kohn, "Heroin War: 200 Slain in 2 Years; Kingpins Thrive - Pawns Die," *Detroit Free Press*, April 17, 1973

of police professionalism had drawn police into complicated relationships with vice in their cities. "In the postwar years," urban historian Eric Schneider has observed, "police increasingly acted as independent regulators of the city's vice markets, filling the void left by the end of machine politics, ensuring the orderly operation of the illegal market, and in the process, enriching themselves." Marzette had been one of the city's most decorated narcotics officers in the 1950s, but became embroiled in the street life he investigated. This led to his high-profile arrest and eventual imprisonment for selling heroin. In addition to his many years of experience on both sides of the blue line of law enforcement, Marzette was also an extremely ambitious man. Upon his release from prison in 1957, Marzette set about building an expansive, international heroin importing organization. It began with a trip he took to the Dominican Republic in 1970. There, he met with Cuban loyalists who had opened a new smuggling network to Southeast Asia, claiming they could provide Marzette with higher quality heroin than the Turkish product Marzette then purchased. This product likely came from New York City, facilitated by Italians at the center of that city's long history of the illicit drug trade.<sup>12</sup> By bypassing that network, Marzette created a subaltern heroin connection that liberated his circle of affiliated drug wholesalers from the traditional associations of the past.<sup>13</sup>

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<sup>12</sup> Schneider, *Smack*, 8-12.

<sup>13</sup> It is unclear whether Marzette intended his cultivation of this network as an aspect of racial pride expressed as autonomy from the Italian network that otherwise dominated the Detroit heroin marketplace or simply as a good business practice, but one journalist has speculated that it inspired later African

Back in Detroit, Marzette called together a meeting of west side heroin distributors and proposed that they pool their resources, purchasing heroin through his newly established network. Dubbed “Little Apalachin” by Detroit law enforcement officials as a nod to a 1950s meeting in Apalachin, N.Y., that sought to rationally divide the underground economy among the country’s most prominent mafia families, Marzette’s proposal was in large part a success, and out of this meeting emerged a drug cartel that came to be called the West Side Seven. Though the organization was short-lived, splintering when Marzette died unexpectedly just two years later, it had a lasting effect on the city’s heroin trade by opening an important trafficking channel. Marzette’s history also evoked the close involvement of narcotics police in the organization of the city’s illicit drug trade.

Police involvement in the city’s drug trade circulated among heroin users long after Marzette crossed the blue line to pursue the white powder. “I believe that certain people are allowed to deal narcotics. I don’t know if it’s favors or graft,” Elder Hammett said in an interview. Richard Martin made a stronger accusation. “It’s impossible for the amount of narcotics to come into the country the way they are coming in without some sort of cooperation from somewhere. But we never see this. What I’m talking about is

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American drug organizations to seek a similar connection. See Scott Burnstein, *The Detroit True Crime Chronicles* (Philadelphia: Camino Books, 2013), 15.

the cop comes into the dope house, takes one hundred dollars, and turns around and walks out. Like, we see this. Or like the cop who goes into the numbers house, takes his payoff and leaves. This is on the level where the community and grass roots people see all of these things." Martin also spoke to the political implications involved. "As long as you're not doing anything that's going to put heat on us, it's OK. But if you shoot somebody, well then they've got to act, because that's a direct thing that can be seen." He continued, "As long as you pay us off, and do it in a manner that you don't attract the public's attention, you can." Martin even claimed he knew people with direct experience of police collusion in drug traffic. "I know of instances of citizens who called in and reported that there were people next door selling dope, and they were the ones who were harassed, not the dope houses. The police came out and harassed them. And so this is the reason why most large cities are in the state that they're in, and why pigs are being referred to as pigs." Martin suggests that there are really two forms of knowledge circulating in the streets, one official and promulgated by the police and local media, another unofficial, passed from person to person, among those involved in the heroin trade directly, as users and sellers. Martin's emphasis on what was seen and what was unseen, and the significance of each, is also important. It is this understanding that constituted, in part, what people understood as police brutality. This brutality allowed vice to flourish as long as it remained out of sight of most citizens — off the pages of newspapers, for example — and as long as police received due payment.

Finally, Martin linked some forms of police harassment to those police inveigled within the city's narcotics trade, and suggested that one explanation for the antipathy toward police expressed through the epithet "pigs," was the hypocritical enforcement of vice understood as police brutality in vice districts.

These were the views of longtime heroin users and some liberal politicians living in Detroit: Heroin circulated with some kind of police collusion, otherwise its widespread circulation would be impossible; the police actively participated in the promotion of some forms of heroin use and circulation and not others, with an emphasis on policing its most visible, and politically problematic, expressions; and popular opinion in the streets of the city recognized that police bore some responsibility for the proliferation of heroin within those streets, and resented the arbitrary and often hypocritical ways in which vice districts were policed. This was one aspect of police brutality people on the streets of Detroit were familiar with in the period leading up to the 1967 uprising. The Pingree Street Conspiracy Trial would try these two forms of knowledge circulating in the streets of Detroit — official and unofficial — in a court of law.

### ***An Illicit Quid Pro Quo: The Pingree Street Conspiracy***

Pingree Street between Twelfth and Fourteenth streets in the period between 1968 and 1975 formed the hustling heartbeat of the heroin trade that lived in Detroit's Tenth Precinct. Estimates of the number of dope houses in this area ranged from the

circumspect — 10 or less — to the outrageous — “more than a hundred.”<sup>14</sup> Within the Tenth Precinct, Sergeant Rudy Davis, one of the Pingree Street Conspiracy Trial’s defendants and before that the chief of the Tenth Precinct’s narcotic’s unit, estimated that there were between five hundred and one thousand individual dope houses in the precinct.<sup>15</sup> This superfluity of dope houses sparked an internal investigation into the Tenth Precinct’s inner workings, as well as an investigation by the *Detroit Free Press* that revealed an extensive collusion between the police department and local dope house operators that became known in the popular press as the Pingree Street Conspiracy.

The Pingree Street Conspiracy consisted of an illicit *quid pro quo* between drug dealers running dope houses and narcotics officers in the Tenth Precinct. Dope houses were houses in residential neighborhoods from which people could purchase and sometimes also inject heroin. Knowledge of their existence passed from user to user mostly by word of mouth, which was in some cases facilitated by operators of dope pads, who would pay users to circulate word about a new dope house among the narcotics community.<sup>16</sup> A small crew operated the dope house, whose job it was to sell heroin and collect money, and to protect the house and its contents. A division of labor organized these tasks. Charles Rudolph began working with Courtney Brown and Eddie Jackson in one of their dope houses and described the system they devised to limit their

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<sup>14</sup> Olivia Sampson testimony (2976); Dennis Dion testimony, (3441).

<sup>15</sup> Rudy Davis testimony, (3396).

<sup>16</sup> For a description of the operation of a dope pad in Detroit, see Mieczkowski, 167-73.

exposure to arrest. “They had a pretty smart operation,” he said. After opening the door for a customer and receiving money, Rudolph deposited the money through a hole in an upstairs door. Then, he said, “the dope would drop down right on the floor in front of them.<sup>17</sup> And I took the money,” Rudolph said, “but I didn’t hand ‘em anything. And that was supposed to be a complex way to keep a sale off of you.”

Police complicity sustained this model, providing protection for known dope houses in exchange for bribes. Perhaps the central concern dope house operators had was security. Because the houses contained large quantities of drugs, money, and stolen property exchanged for heroin, they were frequent targets of robberies either by users, other dealers hoping to steal their heroin supply, or stick-up men seeking to score quick cash.<sup>18</sup> Testimony in the Pingree Street Conspiracy trial conveys a sense of an extraordinarily tumultuous social setting, with fear and the threat of violence ever-present. This may have contributed to the development of this illicit *quid pro quo* between police and drug dealers. In the Pingree Street Conspiracy, several of the police officers involved were alleged to have operated similar to stick-up men. However, they extorted protection money less as a guarantee against robberies by other drug dealers than as a guarantee against police raids.

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<sup>17</sup> Charles Rudolph, interview by author, Detroit, MI, November 1, 2014.

<sup>18</sup> Robbing dope houses one way to sustain a living in Detroit’s informal economy. It was also implicated in Hayward Brown’s case against the Detroit Police Department. Some have speculated that he was not motivated entirely by a revolutionary desire to root drugs out of the black community, but that he and his associates were, first and foremost, stick-up men. See Bomani, interview with author, Detroit, MI, March 5, 2013.

The Pingree Street Conspiracy was first publicized through the journalistic endeavors of Howard Kohn in spring 1973. At that time, Kohn, an investigative journalist working for the *Detroit Free Press*, published a series of riveting articles examining police involvement in the heroin trade in the city's near northwest side.<sup>19</sup> Kohn's investigation began two years earlier, when heroin use was growing in Detroit. The city's per-capita rate of heroin addiction was second only to that of New York City, the nation's undisputed heroin capital. One journalist cited as many as fifty thousand heroin addicts on the city's streets, spending over a million dollars a day to feed their habits.<sup>20</sup> At a time when Detroit had recently garnered the dubious accolade of the nation's "Murder Capital," the county medical examiner attributed as many as two-thirds of the city's homicides to the drug trade.<sup>21</sup> The image of the country's deadliest city, then, rests to a considerable degree on police complicity in the Pingree Street Conspiracy.

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<sup>19</sup> Howard Kohn and William Schmidt, "Probe Spots Heroin Chiefs," *Detroit Free Press*, April 15, 1973; Howard Kohn, "And One of Their Victims: Happy's Painful Life," *Detroit Free Press*, April 15, 1973; Howard Kohn and William Schmidt, "How Dope Kingpins Get Away With It: They're Rich and Influential," *Detroit Free Press*, April 16, 1973; Howard Kohn, "Heroin War: 200 Slain in 2 Years," *Detroit Free Press*, April 17, 1973; William Schmidt, "Jury Indicts 4 Detroiters in NY Drug Ring," *Detroit Free Press*, April 17, 1973; Howard Kohn, "One of Detroit Dope Kings Under Arrest in New York," *Detroit Free Press*, April 20, 1973; Howard Kohn, "22 Police Face Dope Quiz Indictments: 10th Precinct First Target," *Detroit Free Press*, April 26, 1973; Howard Kohn, "6 Policemen's Roles Bared In Probe of Heroin Racket," *Detroit Free Press*, April 29, 1973; Howard Kohn, "How the 6 Used Badges to Extort Payoffs," *Detroit Free Press*, April 29, 1973; Howard Kohn, "City's narcotics Sergeant Denies Dealing in Drugs," *Detroit Free Press*, May 1, 1973.

<sup>20</sup> Pamela Johnson, "Detroit's Smack," *Ann Arbor Sun*, July 30, 1975. This number was likely highly inflated. Hearings held in concert with the passage of the Narcotics Rehabilitation Act in 1966 recorded less than 58,000 "known" addicts in the entire United States, with over 29,000 residing in the United States. See Jessica Helen Neptune, "The Making of the Carceral State: Street Crime, the War on Drugs, and Punitive Policies in New York, 1951-1973," Ph.D. diss., University of Chicago, 2012, 427.

<sup>21</sup> Johnson, "Detroit's Smack."

Kohn's investigation coincided with an internal effort within the Detroit Police Department to respond to growing allegations of police involvement in the drug trade. These changes included putting supervisors on raids in order to control evidence, redesigning the department's narcotics unit and creating narcotics units in each police precinct, and introducing changes to search warrant procedures, minimizing warrantless raids that had become widespread and a frequent source of controversy in the community.<sup>22</sup> Michigan Attorney General Vincent Piersante, however, wanted a still more thoroughgoing investigation into the police department. At his urging, Police Commissioner John Nichols appointed lieutenant George Bennett to the head of a special investigative unit called Special Detail 318.<sup>23</sup> Nichols viewed Bennett, a 21-year veteran on the force, as someone who could bolster the investigation's credibility among black officers once it became public. Bennett had recently initiated a lawsuit charging discrimination against the Detroit Police Department. His appointment therefore brought to the fore many of the racial disputes then coursing through the department. It energized those who sought to keep black officers away from the department, often using professional standards as a justification for these policies, as well as those who sought an integrated police department that more closely reflected the city's changing racial demographics.

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<sup>22</sup> John Nichols Testimony, Pingree Street Conspiracy Transcript, Recorder's Court File #73-03636, "Pingree Street Conspiracy Transcript," Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, hereafter PSCT.

<sup>23</sup> Pamela Johnson, "Detroit's Smack: Police Domain?" *Ann Arbor Sun*, 30 July 1975.

Bennett's investigation focused on the Tenth Precinct because it was one of the city's highest crime areas.<sup>24</sup> The extent of police involvement ran much deeper. According to Kohn, Bennett's internal investigation suggested that "as many as 200 Detroit policemen are involved in city-wide heroin corruption."<sup>25</sup> Detail 318 reached its first milestone in January 1973, when Bennett began presenting witnesses to a grand jury. After several months, the grand jury returned indictments against twenty-two police officers and civilians it believed were involved in the drug trade in Detroit's Tenth Precinct. This involvement included providing tips to drug dealers about future raids; supplying favored drug dealers with heroin officers had confiscated elsewhere; extortion in exchange for allowing those dealers to operate; at times even robbery. The indictments caused a firestorm of controversy, with allegations that white officers implicated were the victims of Bennett's "racist revenge."<sup>26</sup> They also represented the first major police scandal in Detroit since the 1940s, when the department was involved in improperly policing another of the city's informal economies, gambling. The length of service of officers allegedly embroiled in the heroin trafficking was particularly striking. According to Kohn, the twenty-two officers facing indictment included five sergeants, each with over fifteen years of service on the force, and seventeen patrolmen, most of whom had served more than five years. This raised questions about how long this illicit

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<sup>24</sup> David Fenton, "Breaking the 10<sup>th</sup> Precinct Drug Connection, *Ann Arbor Sun*, 30 July 1975; John Nichols Direct Examination.

<sup>25</sup> Howard Kohn, "22 Police Face Dope Quiz Indictments."

<sup>26</sup> Johnson, "Detroit's Smack."

*quid pro quo* had been taking place in the Tenth Precinct, and about the extent of its reach within the police hierarchy.

The trial itself was a dramatic affair, made up of a cast of fascinating and unforgettable characters drawn from Detroit's tumultuous streets. It began with Wiley Reed, an alleged hit man who testified with a piece of gauze covering his cheek, the result of an assassination attempt with a shotgun that tore away most of one side of his face. Reed testified that he had worked as a courier for Milton "Happy" Battle, the heroin wholesaler at the center of the Pingree Street trial. In this capacity, he encountered many of the indicted police officers. Reed testified that he received heroin and cocaine from Officers William Stackhouse and Robert Mitchell in exchange for information on dope houses unknown to them.<sup>27</sup> Reed also implicated Rudy Davis, the head of the Tenth Precinct's narcotics section, in Battle's organization, saying he had seen Battle give envelopes of money to Davis on several occasions, as well as a diamond ring.<sup>28</sup> In addition to this, Reed's testimony implicated several other figures in the Pingree Street Conspiracy: Erskine Haslip, whose shoe store Reed alleged was used to launder drug proceeds, and the personal and welfare checks that Battle accepted in lieu of cash; Guido Iaconelli, the Italian owner of a repair shop Reed suggested provided Battle with high quality heroin and served as a fence at times for some of the

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<sup>27</sup> Wiley Reed Testimony, Pingree Street Conspiracy Transcript, Recorder's Court File #73-03636, "Pingree Street Conspiracy Transcript," Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan. [11].

<sup>28</sup> Reed testimony, [13].

merchandise, like lawnmowers, Battle bartered in exchange for drugs; and a trio of hired assassins — Willie B. Foster, Leroy “Bang Bang” James, and Chester Campbell, one of the city’s most notorious hit men — for several of the six attempts on Reed’s life he had faced since he began cooperating with police.<sup>29</sup> These men accounted for much of the growth in what Kohn called “the murder profession” in Detroit, a byproduct of a drug war that had developed in Detroit’s streets since Henry Marzette’s attempts to consolidate the trade at the beginning of the 1970s.<sup>30</sup> Kohn suggested that this drug war had claimed 200 lives since 1970, of which between 50 and 75 could be attributed to the work of hired assassins like Foster, Campbell, James, and Wiley Reed himself.<sup>31</sup>

The testimony of Harold Chapman and the McNeal family demonstrated the continuity between police involvement in dope houses and blind pigs in the Tenth Precinct. Chapman’s testimony was particularly riveting. During the grand jury investigation, Chapman undermined the case against Tenth Precinct officers when he testified that some of Bennett’s colleagues on Detail 318 had essentially kidnapped him and attempted to ply him with marijuana before his testimony.<sup>32</sup> Because of this, Chapman was expected to be a star witness for the defense at the Pingree Street Trial.

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<sup>29</sup> Reed testimony, [13]. For the welfare check detail, see Larry McNeal testimony, (2906).

<sup>30</sup> Howard Kohn, “B.C. Killed Ten, and He’s Next,” *Detroit Free Press*, 18 April 1973.

<sup>31</sup> Howard Kohn, “B.C. Killed Ten”; Howard Kohn, “Heroin War: 200 Slain in 2 Years,” *Detroit Free Press*, 17 April 1973. Gerard Finnigan, a treasury agent, used Wiley Reed as an informant, and testifies that he doesn’t recall Reed using the nickname “B.C.” Gerard Finnigan testimony, Pingree Street Conspiracy Transcript, Recorder’s Court File #73-03636, “Pingree Street Conspiracy Transcript,” Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, 2978.

<sup>32</sup> Johnson, “Detroit’s Smack.”

But Chapman had a change of heart, and decided to testify for the prosecution. On the stand, he testified that he had lied to the grand jury in order to hide the fact that Sergeant Rudy Davis was the principal source of the heroin and cocaine that Chapman sold. Chapman's initial contact with Davis attested to the mounting problems that warrantless raids known as "tip-overs" were producing in the Tenth Precinct. Chapman testified that he and several other people were in a dope house Chapman ran when the door "came down" and Rudy Davis and several other officers entered.<sup>33</sup> Chapman and the others were forced to lie on the floor, and the officers proceeded to confiscate several "bricks" of marijuana, some guns and over a thousand dollars in cash. In spite of this, Chapman said no one was arrested, no search warrant was produced, no receipt for the confiscated items was ever given, and he never recovered the property confiscated by the police. Moreover, neither Chapman nor anyone else present during the raid was ever charged with the possession of these items.<sup>34</sup> During a second encounter, Davis and another officer entered his apartment, performed a perfunctory search, and placed an envelope on the living room table that Chapman found to contain two ounces of cocaine, which he proceeded to sell. Chapman testified that his relationship with Davis developed into a close partnership, with Davis regularly providing him with drugs, at times even obtaining them from the Tenth Precinct's property room in Chapman's

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<sup>33</sup> Harold Chapman testimony, Pingree Street Conspiracy Transcript, Recorder's Court File #73-03636, "Pingree Street Conspiracy Transcript," Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, [23].

<sup>34</sup> Chapman testimony, [24].

presence.<sup>35</sup> The relationship developed into a full-blown partnership, with Chapman providing Davis with a percentage of his proceeds from the sales, even testifying that Chapman consider himself and Davis “seller” and “source.”<sup>36</sup>

Roy McNeal and the McNeal family were instrumental in the prosecution’s case against police in the Tenth Precinct. In exchange for immunity, members of the family testified in vivid detail about their interactions with police as well as the inner workings of a dope house located in the center of the city’s heroin district on Pingree Street. Roy McNeal was the entrepreneurial spirit animating the family’s endeavor. Born Eugene Williams, McNeal fled Alabama in the 1960s, after his involvement in a murder there, and took the name of his dead brother, killed by a white man, as his own.<sup>37</sup> McNeal, “Alabama Red” in the streets of Detroit, worked briefly at Detroit’s River Rouge plant before getting involved in the city’s drug trade.<sup>38</sup> Red gained experience in the trade working at a blind pig run by the man who eventually became his first heroin supplier.<sup>39</sup> There, McNeal ran a craps table. Within a short period, he had transitioned to “dealing

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<sup>35</sup> Johnson, “Detroit’s Smack.”

<sup>36</sup> Chapman testimony, [26].

<sup>37</sup> Chester Lee McNeal testimony, Pingree Street Conspiracy Transcript, Recorder’s Court File #73-03636, “Pingree Street Conspiracy Transcript,” Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, (3021; 3046).

<sup>38</sup> Roy McNeal testimony, Pingree Street Conspiracy Transcript, Recorder’s Court File #73-03636, “Pingree Street Conspiracy Transcript,” Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, (3034)

<sup>39</sup> Roy McNeal testimony, (3036).

from the hip” at Twelfth and Pingree.<sup>40</sup> But street sales were “a quick way to go to jail,” as everyone knew, and eventually Red secured himself a dope house on Pingree Street.<sup>41</sup>

Larry McNeal was an anomaly in the heroin business transacted on the near northwest side. He was only eighteen when he moved to Detroit from Alabama in 1970 and got involved in his brother’s heroin business. That made him younger than anyone else involved in his brother’s business, and significantly younger than the many defendants on trial who ranged in age from the early thirties to fifty. After learning the trade with his brother, Larry McNeal ventured out on his own in the heroin business, encouraged and supplied by Happy Battle. But amid the burgeoning heroin landscape in the Tenth Precinct, McNeal stood out for his youth.

Before long, much of the rest of the McNeal family had relocated to Detroit. The McNeals operated dope houses for nearly five years, from 1968 to 1973, mostly on Pingree Street out of duplex houses connected by a heroin distribution system akin to that described by Charles Rudolph, with a pipe that connected the sales area in the bottom flat with the storage facility in the flat above. Red testified that he had already begun bribing police officers to prevent raids on his dope houses by the time his brother Larry joined him in 1970.<sup>42</sup> One of them, officer Robert Mitchell, eventually came to treat

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<sup>40</sup> John Ferguson testimony, Pingree Street Conspiracy Transcript, Recorder’s Court File #73-03636, “Pingree Street Conspiracy Transcript,” Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, (3092).

<sup>41</sup> Bomani interview.

<sup>42</sup> Roy McNeal testimony, (3038).

Red “like a son,” giving him advice about how to run his business that at the same time reflected the biases within law enforcement’s regulation of the drug trade: no sales to minors; no sales after a particular time; and no sales to whites.<sup>43</sup> The latter rule gave credence to the suspicions of Tenth Precinct residents that contributed to an expanded definition of police brutality, which entailed precisely these types of inconsistencies.

Mitchell deftly navigated these tensions. At times, he showed up at the McNeal’s dope pad specifically to keep up the appearance of regulating the trade, telling Red’s girlfriend that it “wouldn’t look good” if he didn’t, since their neighbors knew they were dealing drugs.<sup>44</sup> Several people involved in the drug trade on Pingree Street testified to a similar pattern.<sup>45</sup> Many noted that raids in which drugs were found often resulted simply in confiscation of the merchandise, not arrests, and few reported being convicted for their activities on Pingree Street. Indeed, after running a dope house one witness said “moved more heroin than most anywhere” in the city for almost five years, Roy McNeal was never arrested for involvement in narcotics.<sup>46</sup>

Though some of the tales of police collusion in the Pingree Street heroin trade strain belief, there is a kind of logic to that involvement which was related to the

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<sup>43</sup> Olivia Smiley testimony, Pingree Street Conspiracy Transcript, Recorder’s Court File #73-03636, “Pingree Street Conspiracy Transcript,” Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, (2962). For Mitchell treating McNeal “like a son,” see Roy McNeal testimony, (3039).

<sup>44</sup> Olivia Smiley testimony, 2956.

<sup>45</sup> Larry McNeal and Alice Bailey both testified that they had never been convicted of a narcotics charge. Larry McNeal testimony, (2922); Alice Bailey testimony, (2936).

<sup>46</sup> Milton “Happy” Battle testimony, Pingree Street Conspiracy Transcript, Recorder’s Court File #73-03636, “Pingree Street Conspiracy Transcript,” Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, (3384).

changing legal environment in the 1970s. Certainly, it is not unlike the long history of ambivalent vice regulation that had characterized policing in urban areas since Progressive Era reforms wrenched police departments from the grasp of urban political machines. But the involvement of Detroit police in the proliferation of heroin in the Tenth Precinct, and far beyond that district's boundaries according to Howard Kohn, also suggest an abiding ambivalence on the part of police toward Warren Court reforms enacted to constrain the kinds of constitutional violations they seemed wont to carry out. This is most evident throughout the Pingree Street trial when police witnesses discuss "tip-over" raids.

Tip-over raids were warrantless searches conducted ostensibly on the basis of a citizen complaint in order to harass and disrupt informal economic activity in the city. Joe Porter, a retired Detroit police officer who had served in the Tenth Precinct, testified on behalf of police defendants. He described tip-over raids as, "designed for harassment rather than development of a court case."<sup>47</sup> This was, of course, a disingenuous description. The harassment itself precluded any case, as it invalidated the evidence any raid procured due to its very nature — a warrantless, and hence unconstitutional, search. On cross-examination, Porter was more forthcoming. Tip-over raids, he said, were "an illegal search" meant "to make it so hot and uncomfortable for narcotics pads

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<sup>47</sup> Joe Porter, Pingree Street Conspiracy Transcript, Recorder's Court File #73-03636, "Pingree Street Conspiracy Transcript," Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, (3422).

that they would either leave or go out of business.”<sup>48</sup> Search warrants, he said, were extremely rare. Porter described tip-over raids as a “common practice” in the Tenth Precinct in response to complaints about vice. He estimated that when he was stationed there from 1968 to the formation of precinct narcotics units in 1971, police in the Tenth Precinct area conducted at least one such raid a week.

These tip-over raids reproduced some of the most significant grievances the black community had in the aftermath of the riot. They concentrated on mostly black areas of the city, with little regard for constitutional protections, in an arbitrary and at times brutal fashion. The character of these raids — at once illegal and commonplace — was less an anomaly, however, than an illustration of the ambivalent relationship police took to the regulation of vice in the city. It also illustrated the way in which the law was embodied not by something abstract like a constitution but by individual police officers carrying out the daily tasks that comprise law enforcement. Viewing tip-over raids in this way sheds light on the practices of police involved in the Tenth Precinct. Faced with the proliferation of vice in a neighborhood like the near northwest side, imbued in the culture of white supremacy that allowed vice to flourish in non-white neighborhoods as a kind of “regulation,” and treating the constitutional protections of non-whites as a negotiable contingency, police officers in the Tenth Precinct conducted tip-over raids. Their purpose was to illegally harass drug dealers, but not to end the drug trade as such.

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<sup>48</sup> Joe Porter testimony, (3429).

It seems likely that they viewed doing so as an impossible task. Meanwhile harassment was not only possible and within their power, but often very effective, at least in keeping the drug trade on perpetually shifting terrain.

Sergeant Rudy Davis, in his own testimony, suggested that the practice of tip-over raids was tied to the difficulties that inhered in the regulation of vice. Search warrants required knocking on doors and the identification of police officers and their purpose, thereby allowing dealers to get rid of drugs.<sup>49</sup> Davis claimed on the stand to resent this reality tremendously. When he testified, Davis told an anecdote about a case he built against a street dealer that he thought was sound, but was turned down by prosecutors because the dealer operated out of an abandoned building.<sup>50</sup> These experiences may have informed the practice of tip-over raids, and recycling evidence among a network of trusted dealers may have aided its regulation by proscribing its geographic reach. The practice of tip-over raids in turn demonstrates the way in which drug distribution methods relied in an important sense on the police practices that governed them. It is certainly no coincidence that drug dealers in the Tenth Precinct like Roy and Larry McNeal and others chose dope houses over the street sales found elsewhere in the city. They all knew the consequences of such flagrant violations of the illicit *quid pro quo* that governed the Tenth Precinct.

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<sup>49</sup> Rudy Davis testimony, Pingree Street Conspiracy Transcript, Recorder's Court File #73-03636, "Pingree Street Conspiracy Transcript," Box 1, William Lucas Papers, Bentley Historical Library, University of Michigan, (3396).

<sup>50</sup> Rudy Davis testimony, (3396).

The Pingree Street Conspiracy trial destroyed all that. At its conclusion, eight people were found guilty either of “Conspiracy to unlawfully deliver narcotic drugs” (Count I) or “Conspiracy to obstruct justice” (Count II) — three police officers and five civilians.<sup>51</sup> The conviction of Rudy Davis, chief of the Tenth Precinct narcotics unit, for obstruction of justice, coupled with another conviction a year and a half earlier on the same charge after testimony that he had taken a \$5,000 bribe from a drug dealer, substantiated the many claims of police collusion that had long been registered in the Tenth Precinct. Jurors ruled against the arbitrary enforcement of the law that had sown so much discontent in the Tenth Precinct. They ruled, ultimately, in favor of the knowledge about the police circulating on subterranean frequencies on the near northwest side for many years, which viewed law enforcement not in its abstract guise, many leagues removed from the streets of Detroit, but rather as a practice embodied by human beings shaped by a particular time and place.

The trial had a number of lasting consequences. One was that it contributed to the formation of a new legal framework in its wake. Howard Kohn, the journalist responsible for breaking the Pingree Street case to the public, published an article at the time that lamented the many restrictions law enforcement faced which made the regulation of vice so vexed. These included inadequate financing; a lack of coordination among federal agencies, and between federal and local agencies; regulations against the

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<sup>51</sup> Pamela Johnson, “Guilty! 3 Cops, 5 Others in Heroin Conspiracy,” *Ann Arbor Sun*, 31 December 1975.

use of wiretaps; low bonds, allowing high-level drug dealers to continue to operate their enterprises while on trial; large sums of money available to drug kingpins to hire expert legal assistance while on trial; and police corruption.<sup>52</sup> But those laws soon changed. In the years that followed, law enforcement agencies and politicians targeted these apparent inadequacies for reform. A torrent of funding for law enforcement and corrections met the dearth decried by Kohn. Federal and local agencies were stitched closely together in wars on crime conducted at regular intervals. Regulations against the use of wiretaps were loosened, particularly in narcotics cases, something Coleman Young advocated soon after his election as mayor in 1973. Absurdly expensive bonds were introduced, converting the freedom high-level drug dealers once enjoyed into the incarceration of many swept up in informal economies across the country. And forfeiture laws requiring a far lower burden of proof allowed for the seizure of property, businesses, and other assets ostensibly the results of drug trafficking. Like Coleman Young and James Lincoln, Kohn spoke as a liberal unmoored by the devastation heroin was at the time wreaking on the streets of Detroit. These reforms strengthened the punitive side of liberal law and order while further eroding constitutional protections for those people, mostly African Americans at this time and largely men, involved in the drug trade.

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<sup>52</sup> Howard Kohn and William Schmidt, "How Dope Kingpins Get Away With It: They're Rich and Influential," *Detroit Free Press*, 16 April 1973.

With the conclusion of the Pingree Street Conspiracy trial, these longstanding patterns of drug organization and distribution in the Tenth Precinct collapsed. But in the 1970s, many things remained unchanged about the conditions African Americans faced in the nation's urban settings — racial oppression, unemployment, alienation from the political process, and arbitrary and violent police behavior. Addressing them was the task of the generations that followed. Drawing on the contradictory legacies in the Tenth Precinct in the context of a beleaguered economy, that generation harnessed informal economies as one of the most significant expressions of their nascent power and influence. But YBI's innovative street sales method took a number of years to incubate, and in the meantime, entrepreneurs like Bomani, another Tenth Precinct resident, adapted the dope house method to the institutions he came into contact with: the city's high schools and factories.

### ***“I Call It the Neighborhood”: Informal Economies in Transition***

“I called it the neighborhood,” Bomani said, describing how he viewed what some people might call underground or informal economies.<sup>53</sup> “You knew where the big dope house was at, you knew where the dope house was at,” he said, that “had the most money, who's doing this, who's doing that. You knew this.” Bomani used this

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<sup>53</sup> Interview with “Bomani,” Detroit, MI, March 5, 2013. The name is a pseudonym.

knowledge and his own “large network of social contacts” that heroin distributors required to become a heroin entrepreneur in the 1970s.<sup>54</sup>

Bomani was fourteen years old when the 1967 rebellion began. As such, he was part of that generation that experienced the rebellion firsthand and at the onset of his own growing political consciousness. Recalling the impression the riot made on him, Bomani remembered two things. “I think I got black,” was the rebellion’s most significant consequence for him. “I started thinking about who I was.” This sentiment was in keeping with the inquisitiveness and voracious demand for knowledge that marked his childhood. “All he does is read!” his mother reportedly told one of Bomani’s teachers after he received poor marks on a book report he wrote on Claude Brown’s *Manchild in the Promised Land*. Bomani was in a movie theater in the heart of one of the city’s retail districts when the uprising began, and remembered someone interrupting the movie and shouting, “Man, everything free!” The rebellion briefly overturned the prevailing social distribution, and the police order that enforced it. It revealed as arbitrary that distribution. “So we came out, and, yeah, that’s what was going on. And yes, I did my little bit of stealing,” Bomani remembered. “It was kinda hard not to do it.” The atmosphere was infectious. This was the second important impression the rebellion made on Bomani.

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<sup>54</sup> Mieczkowski, 20.

Bomani also marked the rebellion as a turning point in the city's heroin trade, suggesting that the government played a role in introducing heroin into the city in order to pacify the rebellious sentiment then emerging. And the U.S. Government did indeed participate in the heroin trade in Southeast Asia as its involvement in the war in Vietnam increased.<sup>55</sup> "Just as the French secret service had used the opium trade to fund counterinsurgency in their war against the Viet Minh," writes Alfred McCoy, historian of the heroin trade in Southeast Asia, "so the CIA, in its struggle against the National Liberation Front, soon embraced the drug traffic as well. Saigon governments selected and supported by the United States, from Diem through Ky and Thieu, were deeply engaged in a trade that fed the heroin habits of Americans at home and abroad."<sup>56</sup> The simultaneous proliferation of insurgency and heroin led many in the radical community to believe that the government was involved in the proliferation of heroin in the black community at this time. As Bomani observed, "I really believe that they pushed heroin

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<sup>55</sup> Albert McCoy, *The Politics of Heroin: CIA Complicity in the Global Drug Trade*, Rev. ed. (Chicago: Lawrence Hill Books, 2003). "Just as the French secret service had used the opium trade to fund counterinsurgency in their war against the Viet Minh, so the CIA, in its struggle against the National Liberation Front, soon embraced the drug traffic as well. Saigon governments selected and supported by the United States, from Diem through Ky and Thieu, were deeply engaged in a trade that fed the heroin habits of Americans at home and abroad." Alfred McCoy, "Heroin and Politics in Saigon," in Marvin Gettleman, Jane Franklin, Marilyn Young, and H. Bruce Franklin, *Vietnam and America: A Documented History* (New York: Grove Press, 1995), 97-103.

<sup>56</sup> Alfred McCoy, "Heroin and Politics in Saigon," in Marvin Gettleman, Jane Franklin, Marilyn Young, and H. Bruce Franklin, *Vietnam and America: A Documented History* (New York: Grove Press, 1995), 97-103. See also Albert McCoy, *The Politics of Heroin: CIA Complicity in the Global Drug Trade*, Rev. ed. (Chicago: Lawrence Hill Books, 2003).

on us." Still, this does little to explain the emergence and spread of heroin on the streets of Detroit in the mid-1960s.

The abrupt rise in heroin use was more likely rooted in more proximate causes. One may have been the dramatic uptick in American servicemen in Vietnam the previous year; 1965 marked the beginning of the U.S. escalation of the war in Vietnam. This included Operation Rolling Thunder, a bombing campaign initiated by President Lyndon Johnson against North Vietnam, and the commitment of ground troops to bases in South Vietnam, ostensibly to support this operation. From approximately 24,000 "advisors" at the beginning of 1965, troop strength quickly grew to over 184,000 by the end of the same year.<sup>57</sup> One government investigation concluded that ten percent of enlisted men had become addicted to heroin during their tour in Vietnam, and suggested that two or three times more were occasional users.<sup>58</sup> Though the environmental change that accompanied their return to civilian life was enough for the vast majority of soldiers to end their heroin use, for some it was not. Increased heroin use in Detroit, then, tracked closely the escalating war in Vietnam. The Detroit Police Department's Narcotics Bureau arrests reflect the effect the war's escalation had.<sup>59</sup> In 1966, there was a decisive turning point, from one of the city's lowest points in the

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<sup>57</sup> Gettleman, et al, 527.

<sup>58</sup> Schneider, *Smack*, 159.

<sup>59</sup> Detroit Police Department Detective Division - Narcotics Bureau, Statistical Report, December 1969. "Papers Concerning Methadone and Drug Rehabilitation (5)," Box 1, Methadone Treatment for Heroin Addiction Oral History Project, Bentley Historical Library, University of Michigan, Ann Arbor, MI.

postwar period to an abrupt rise in drug-related arrests. The number of arrests continued to rise precipitously in the years that followed. By 1969, nearly three thousand drug-related arrests were made in Detroit, with an increase of six hundred arrests on heroin charges from the previous year.<sup>60</sup>

The escalation of the war in Vietnam certainly contributed to Detroit's marked increase in heroin arrests in the 1960s. But the experiences of young people like Bomani suggest an additional factor in the spread of heroin. That is, the networks within which aspiring drug dealers circulated, in particular the city's high schools and auto factories. Bomani took part in both of these networks as a young heroin dealer. "I got infected with that stuff at an early age," he said about his heroin sales, which began when he was in high school. At first, Bomani purchased a tablespoon of heroin for twenty-five dollars, diluting it with five spoons of lactose and one spoon of quinine, and distributing the result among one hundred "penny caps," which were single dose amounts that cost a dollar.<sup>61</sup> In this way, Bomani realized three hundred percent profit on his initial investment. Bomani distributed his heroin inside Mackenzie. Schools were a natural fit because they had a built-in clientele, and that clientele in Detroit high schools often numbered several thousand. Bomani himself attended Mackenzie High School, a school that drew much of its student body from the Tenth Precinct and boasted over four

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<sup>60</sup> Heroin use accounts for 1,691 of the total 2,886 drug-related arrests in 1969, or 58 percent. Marijuana constituted the second-highest number of arrests, with 894.

<sup>61</sup> Interview with Bomani, Detroit, MI, March 5, 2013.

thousand students just after World War II. Though that number had declined by the late 1960s, its enrollment still numbered several thousand. Selling penny caps among high school students allowed Bomani's career as a drug dealer to flourish.

Schools also in at least one significant way resembled the dope houses still prevalent in the Tenth Precinct when Bomani was in high school: They offered a low profile to aspiring drug dealers. Standing out on the street selling drugs was, "a quick way to go to jail," Bomani said. Street sales existed in Detroit at the time, but they were plied mostly in open-air drug markets downtown. Dope houses offered relative obscurity, even as their immobility opened them up to police raids and robberies by addicts and men who made their living robbing dope houses. Schools provided a similar level of relative obscurity. One difference, of course, was that Bomani could not replicate the practice of accepting merchandise in lieu of cash, an option made possible by the space available at dope houses, which then often functioned as locales that fenced stolen goods in the community.<sup>62</sup> Nor did Bomani possess the sophisticated networks of drug dealers like Happy Battle, which enabled him to accept personal and welfare checks in exchange for drugs.<sup>63</sup>

In order to use schools as a site for drug sales, though, Bomani had to confront and defeat one of the most important legacies of the 1960s: Black Power. He did so by

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<sup>62</sup> Need a source for this.

<sup>63</sup> Need a source for this.

drawing on the social networks of which he was already a part. Bomani's family moved to the Tenth Precinct area in the early 1960s, where he said they were one of the first black families in the neighborhood. Bomani mentioned getting in "a lot of fights" as a kid, but didn't attribute them to racial animosity. On the west side, Bomani participated in social networks that he would draw on in years to come. One was created by the introduction of the city's busing policies. These policies shipped Bomani across the west side to Nobel Elementary School. There, he met and became friends with his classmates. Bomani also played for the Westside Cubs, a youth football team that was at that time entirely black, based in the Tenth Precinct area. His participation in this league gave Bomani a different view of white people. Those he went to school with were polite to him, but the ones that he played against as part of the Westside Cubs resorted to racial epithets regularly, and claims of unethical maneuvers by white officials remained prominent in Bomani's recollection even many years later. When Bomani began attending Mackenzie High School, he found that his former classmates from Nobel Elementary among the student body. Along with the acquaintances he made during middle school, Bomani suggested that he and his friends "ran Mackenzie High School." Like Charles Rudolph and the Jitterbugs, aspirations to control public space motivated many of their actions.

Part of "running" Mackenzie High School entailed bringing the disturbances associated with the radicalization of youth in the 1960s to a close. "I had revolutionary

ways, but I was totally against what society wanted. Like I said, drugs were everywhere." This comment suggests the general sense of alienation that attracted many to the heroin trade as well as how radical political organizing had begun to lose its appeal. In spite of his sensitivity, his inquisitiveness, his garrulousness and his seeming knack for organizing, radical politics held no appeal for Bomani, and he did not view it as an alternative outlet for his own revolutionary sensibility. This was clear from a confrontation that he had in high school.

Bomani recalled a walkout organized at Mackenzie High School aiming to bring black history courses into the school in 1968. "I can buy that," Bomani remembered, "I got no problem with that." But Bomani resented the condescending attitude that one of the walkout's organizers displayed toward him. "Dale Evans I didn't like," he said, "because he acted like he was better than everyone else." In addition to that, the activities that Evans and others like him organized interrupted the moneymaking schemes Bomani was involved in. In response, Bomani and the people he knew, "basically ran them out of school ... just by putting a little pressure on them." Bomani described the reason as simple economics: "it was interfering ... we were trying to make money ... if you got people walking out of school and all that, you're not helping me, you're not helping the rest of these people." Bomani thus cast political organizing like that taking place at Mackenzie while he was attending high school as at odds with his own attempts to secure a footing in the informal economy then beginning to

predominate in the Tenth Precinct. Bomani chose the informal economies of the street over the solutions these groups offered, and he chose their forms of organization instead of the integration into formal waged work (or a school system that seemed to offer him nothing) that the civil rights movement offered.

Bomani shared with many young people of his generation a rejection of factory work. After a yearlong stint in prison for unarmed robbery, Bomani took a job at an auto factory in Detroit. His father, a foreman at Chrysler's Lynch Road Assembly plant, arranged for him to start working there, partly to repay the debt he had incurred as a result of his son's trial. But Bomani continued selling drugs, this time inside the factory. His father had a reputation as a "company man" at the factory where he worked, a reputation that garnered him enough resentment among other workers that he eventually lost an elected position as union steward. Thereafter, however, he pursued and eventually gained a position as a foreman. Bomani rejected both his father's reputation as a hard working "company man" and the factory itself. He preferred the dope man, who, "dressed real nice, had tons of women, and always had money ... that's what I wanted to do." As a result, he rejected factory life. "I didn't want to do nothing," he said. He didn't find the work particularly challenging. It was the tedium and the amount of time it required of him that bothered him, above all. "I had to spend eight hours in that place. Didn't like spending eight hours a day in that place." Ultimately, Bomani was fired. "You're nothing like your father," one authority in the plant told him,

to which he replied, "You damn right!" Though the union could have gotten him his job back, Bomani refused. "I said the hell with Chrysler's. I wanted to stay in the streets."

Bomani took his neighborhood entrepreneurship into the factory with him, where he plied his trade for two years. From a node in a network of heroin distribution in local high schools, he assumed a similar function within factories, just after he graduated and not long before the collapse of the auto industry with the 1973 recession. Bomani's life suggests an alternative interpretation for the proliferation of heroin in Detroit in the years that followed the uprising. Just as the notion that the government organized the heroin trade into the United States evinces a far more complicated story of drug couriers in uniform paid by independent dealers and distributors who themselves may have had connections with the military, so too the proliferation of heroin in Detroit is best viewed embedded within the proliferation of networks on the city streets that people like Bomani and many others articulated at the time, using massive social institutions like high schools and factories, as well as a growing number of addicts flooding the streets, to contribute to a dramatic rise in the influence of the drug trade in the 1970s.

Bomani's rejection of the factory, at a time when factories were rejecting young black men in enormous numbers, corresponded to a sentiment prevalent on the streets of Detroit in the early 1970s. "I wanted to be a thug." This was how "D.C." described his

own attraction to the city's informal economies in the 1970s.<sup>64</sup> The fascination began when his sister married a drug dealer while D.C. was in high school. D.C. became enamored with the drug scene soon after, which he experienced as "a whole kind of subversive culture" that was "very appealing and captivating versus the straight world." Like Bomani, D.C. found himself drawn to the respect that members of the "subversive culture" of the streets gained in the community. D.C. preferred that culture over the more stable opportunities, such as academic achievement in high school or even a job at a local hospital that he held for a short time before his addiction to heroin overtook his ability to work steadily.

D.C. began his heroin use in high school. It seemed to him that "everybody was tooting heroin" at that time, and D.C. remembered the "penny caps" that he bought to get high. D.C.'s mention of "penny caps" suggested the extent to which the networks he and Bomani were a part of had spread throughout these schools. Recognizing that the prospect of earning a high school diploma was receding, and on the advice of his brother-in-law, D.C. joined the Navy in 1971, just months before he turned eighteen. He explained his decision to join the Navy as partially a money-making venture, a way to further develop local links to international drug sources, as well as a way to make money selling drugs to other servicemen. D.C. chose the Navy over other branches of

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<sup>64</sup> D.C. interview, Detroit, MI, February 28, 2013. D.C. is a pseudonym.

the service because he “didn’t wanna see war,” and saw the Navy as one way to avoid direct combat.

In addition to these reasons, D.C. also joined the military because he harbored some aspirations from his time in high school — before becoming heavily involved in the drug trade — to make a living in the formal economy. Conversations with military recruiters misled D.C. to believe he would be trained to pursue a career in drafting while he served in the military. This did not come to pass, and D.C. began emulating his brother-in-law soon after he enlisted. “I was not [that person] anymore,” he said, recalling how he started to answer to “D.C.” instead of Dwight, a reference to “J.C.,” his brother-in-law’s nickname.

In high school, he aspired to become an architect and even got an internship at an architectural drafting company downtown. But D.C. was disappointed by how little money he made. After he returned from overseas, he experienced a similar tension when he began working at a local hospital. There, he made a decent wage, but as a heroin user, the money disappeared quickly. “You work for two weeks to be a one-day millionaire,” D.C. said of his time working in the hospital. He observed his acquaintances just hanging out, not working, not making money, but staying high. D.C. also rejected whatever opportunities to work in the city’s factories might have remained. “It seemed to lack a kind of glamour or any kind of prestige, and the money still appeared to be so marginal, so low.” Like Bomani, his family’s experience with the auto factory provided a

negative example to D.C., something he did not aspire to. Once, while he was in the Philippines getting further involved in drug trafficking, his father tried to persuade him to return to the United States, even dangling the possibility of a job in the auto factory in which he himself worked. But D.C. refused. "I didn't want to come back to Detroit and work at Ford for thirty years and still not have a pot to piss in." In D.C.'s mind, the Philippines offered him a future that he could not imagine in Detroit: the opportunity to "get rich and be successful." D.C.'s experience parallels that of Charles Rudolph, who joined the Army to see the world, and was so impressed by his treatment in Vietnam's public places. Eventually, D.C. was arrested for his involvement in the heroin trade in the Philippines. After spending a month in a Philippine jail before he was deported, D.C. vowed to extricate himself from the drug trade. But he arrived back in Detroit in January 1975, while the city was in the midst of a deep recession. D.C. also found himself unable to collect unemployment from the Navy. That same month, his sister, still involved in the heroin trade, was killed. Eventually, D.C. became involved in the city's heroin trade, as he said, because, "I wanted to be somebody who was rich right now."

Bomani and D.C. experienced Detroit's heroin distribution in transition. Between the collapse of the dope house model and the rise of the street sales method, they improvised their own path as heroin entrepreneurs in the city. Milton Jones, who joined Raymond Peoples and Mark Marshall in organizing YBI's innovative runner system when he was released from prison in 1978, experienced firsthand the arbitrary police

violence that inhered in the illicit *quid pro quo* that governed dope houses in the Tenth Precinct. In his autobiography, *Y.B.I.: The Autobiography of Butch Jones*, Jones narrated his own encounter with Rudy Davis, the head of the Tenth Precinct's narcotics unit.<sup>65</sup> Jones was working at a dope house in the Tenth Precinct when he claimed Davis "busted" him and his friends and even physically assaulted Davis. After that, "Rudy rounded up all our guns and dope and just walked out the door like the shit belonged to him." Jones said Davis repeated this several times, and "after about the third or fourth time," Jones complained to Davis. "Hey fuck this shit. Every time you come in here all you do is take our shit. You ain't no better than none of us. You ain't tryna' bust us, you just tryna' keep our shit." Jones said Davis then rounded on him, "pulled his pistol out and stuck it up to my face." Davis allegedly said, "If you ever in yo' life say anythang to anybody about this shit or ever say anythang to me again about this shit, I'll kill yo' mothafuckin' ass. Do you understand me? At that point," Jones wrote, "I knew what it meant to stare death directly in the face." Given his personal experience with Davis, Jones delighted in the results of the Pingree Street Conspiracy trial. "Gettin' rid of him was the best thang the police department could have ever done," Jones said. "Man did they do me a big favor." Incidents such as this likely served as their own powerful incentive to devise a

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<sup>65</sup> Milton Jones, Raymond Canty, and Julius Justice, *Y.B.I. (Young Boy's Inc.): The Autobiography of Butch Jones* (Detroit: H. Publications, 1996), 18-19. All excerpts are quoted *sic*.

new system to distribute heroin that limited the interactions Jones and Raymond Peoples had with police officers involved in regulating the city's heroin industry.

### ***Becoming Scandalous: YBI's Runner System of Heroin Distribution***

The method that Raymond Peoples, Milton Jones, and Young Boys, Inc., devised for the distribution of heroin in the 1970s drew on their personal experiences, the city's devastated economic landscape, and another form of heroin distribution that had long existed alongside dope houses in the city: street sales in the interstices of the downtown cityscape. "At one time, in the mid-'70's, probably about 90 percent of the street heroin traffic in the city of Detroit was in the downtown area, Brewster Projects, John R, Erskine, that area of the city," Clyde Ritchie, a longtime narcotics officer in the Detroit Police Department, said during testimony in the federal trial against YBI.<sup>66</sup> The method was straightforward. "If you just on the streets, just congregating, standing," Charles Rudolph said, and someone approached you to purchase drugs, the dealer might "walk a short distance with 'em and fade off. It almost looks normal."<sup>67</sup> The street sales system bred innovation. "Because of the competitive nature of the city," Ritchie explained, "various dealers in those areas began to identify their drugs by made-up brand names that they would place on the envelopes." These brand names had several functions.

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<sup>66</sup> Clyde Ritchie Testimony, Trial Transcript Vol. XII, 5/21/83, Box 28, Case #82-80591, National Archives and Records Administration at Chicago, IL.

<sup>67</sup> Charles Rudolph interview.

“Addicts are very conscious of getting ripped off in buying product,” Ritchie said. “They like to go to dealers who have good reputations, have good quality, and won’t [go] back to dealers selling bogus packages.” Brand names also held an advantage for heroin distributors, particularly those operating on a large scale, like YBI. Ritchie testified that those brand names served accounting purposes, allowing distributors “to identify what bags are sent to what area.” But street sales were viewed as foolhardy by many, subjecting people to arrest and lengthy prison terms. “You easily get roused,” Rudolph explained. “And you can only have so much on you.” Even when practicing caution, arrest was a constant danger. “They can always put a case on you,” Rudolph said. “Even if you throw it down close to you, they’ll lie and say they saw you drop it.” So before street sales could overtake dope houses as a method of distribution, its most vexing problem — vulnerability to arrest — had to be solved. In 1976, the answer was in the streets.

Raymond Peoples was released from the Wayne County Jail in June 1976, when he and the other Livernois defendants were found not guilty in the death of Marian Pyszko. Peoples told newspapers that the experience had changed him. “I used to run the streets,” he said, but the trial had “changed [his] whole life. I’m gonna get a job if I can,” he said.<sup>68</sup> But jobs for young black men in Detroit in 1976 were not easy to come by, and the Livernois Five were still in jail when a modest hiring boom began at Ford at the

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<sup>68</sup> “Livernois Slaying Suspects Acquitted,” *Detroit Free Press*, June 19, 1976, Detroit Public Library, microfilm.

beginning of the year, accompanying a slight upturn in the auto industry.<sup>69</sup> If Peoples, laid-off from Ford, had been recalled, he was in any event unable to report to work. Little had changed, then, in Peoples' neighborhood when he was released from jail. Racist business owners and police officers remained, though there were fewer of them, as the former headed to the suburbs and black officers began to comprise a larger percentage of the city's police department. Unemployment was still extremely high, especially among young people. Drug dealers were still the only people who had any money. One thing did change soon enough however: Raymond Peoples would never have to worry about money again.

Heroin distribution required a "large network of social contacts," as Bomani knew.<sup>70</sup> Testimony in the Livernois trial depicted Peoples as something of a ringleader who contributed a sense of racial vengeance to the rock throwing. "Every time a white person would ride past," Gary Young testified, Peoples "would throw the brick through their window or just hit their car, and everybody else that had bricks, all of them would throw. All he had to say — walk up to the car and say, 'Whitie' like that before he hit the car, and everybody just mob the car with bricks."<sup>71</sup> One of YBI's early appearances in local newspapers suggested that Peoples and several of his co-defendants operated as an

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<sup>69</sup> "Ford Local 600 To Fight July Layoffs," *Detroit News* (March 24, 1976), DPL, microfilm. Article says that in January 1975, there were 52,525 hourly Ford workers on temporary layoff and 32,650 on permanent layoff. In March 1976, the number of hourly employees on indefinite layoff was 9,525. Thus more than 20,000 full time workers had been rehired since January 1975.

<sup>70</sup> Mieczkowski, 20.

<sup>71</sup> Gary Young testimony, Raymond Peoples file # 75-5545, Recorder's Court, August 11, 1975, Detroit, MI.

informal work group in the period preceding the Livernois disturbance much like the Jitterbugs or Greg Taylor and the Fenkell Avenues. Among six people arrested in the beating deaths of two people in 1979 police said “jolted” the operations of a “youthful Detroit narcotics gang” appeared names that resonated with the Livernois trial, Gary Young and Dennis Lindsey.<sup>72</sup> Attorney Ken Cockrel, Sr., had represented a youth named Dennis Lindsey who had his charges dropped early in the judicial process, reducing the number of defendants to the five that would stand trial. And it was a witness named Gary Young that testified to Peoples’ ability to organize small groups of brick-throwing youth outside the Burger King on Fenkell Avenue, near the site of Pyszko’s death.

The experience of juveniles in the criminal justice system may also have made an impression on Peoples and the founders of YBI. After the first trial of the Livernois Five, the two juveniles on trial, George Young — Gary’s brother — and Douglas Lane had their charges dropped for lack of evidence and were released. Peoples and the remaining two defendants would remain in the Wayne County Jail another seven months. The juvenile record of Obie Wynn also received publicity in the immediate aftermath of his shooting. Indeed, the idea that young people were increasingly “case-hardened,” committing adult crimes and not mere status offenses, had long been emerging in Detroit since the early 1960s, as schools and neighborhoods rapidly integrated, radical

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<sup>72</sup> Brian Flanigan, “2 Beating Deaths Laid to Drug Gang,” *Detroit Free Press*, July 28, 1979; James Tittsworth, “2 Separate Murders Linked to Narcotics Gang,” *Detroit News*, July 28, 1979.

and militant political organizing permeated the city, and racial violence erupted.

Peoples may even have drawn from his own history. One YBI member claimed years later that the early founders of the group, Peoples, Mark Marshall, and Dwayne Davis, all “made their mark and went to jail before they were 17.”<sup>73</sup> But whereas policymakers viewed lenient juvenile justice statutes as a predicament, Peoples and YBI saw them as an opportunity.

A devastated municipal economy and dire unemployment, a pre-existing set of informal work groups organized by young people themselves and already involved in the informal economy of their own volition, and a clever set of marketing principles contributed to the city’s open air drug markets. YBI transformed these disparate elements into its own method of distributing heroin on the streets of Detroit, the runner system. This system circumvented the dangers of the downtown runner system with the use of juveniles as runners, and exported the system to the city’s outlying neighborhoods. It retained the branding of the downtown system but introduced its own twist, a money-back guarantee.<sup>74</sup> Above all, YBI’s runner system was organized around the pursuit of profit. Unlike individual heroin entrepreneurs or even the dope houses, the purpose of drug sales was not to finance one’s own habit.

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<sup>73</sup> George Cantor, “Young Boys Inc. Offered a Camelot to Some Members,” *Detroit News*, 15 August 1985.

<sup>74</sup> Mieczkowski, 142.

The case of Antonio Cromer illustrates many of the issues that converge on Young Boys, Inc.<sup>75</sup> One of fourteen children, Cromer came from an impoverished West side family living in “the heart of operations for Young Boys, Inc.” Before he became an adult, he was arrested for four separate felonies, including selling heroin. Considered rehabilitated after five months in a juvenile home, during which time he “appeared to have adjusted,” Cromer went back to selling heroin soon after his release, and was again arrested. At one point, he appeared to make a genuine effort to work in the formal economy. He got a job cleaning up at a local pizza shop making \$3.65 an hour. He lasted five weeks.

Another profile of a young YBI member suggested the tremendous social pressure young people felt amid Detroit’s deteriorating social circumstances.

You people who drive on the John Lodge and go past the Jeffries don't know what it's like to go hungry or see your momma tryin' to scrape to keep the family together. I know it's wrong and illegal. But I got started 'cause I wanted to put more food on the table for my family. Man, they were real tight. They said I either was going to have to leave or provide. And since I ain't got much education, this was the only way. And the money is good.<sup>76</sup>

Throughout the interview, this young man discussed the importance of discipline to making money with Young Boys. “There's a lot of discipline in selling dope for the Young Boys” he said. “What you've got is a business. A big business with a lot of money.”

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<sup>75</sup> Gene Schabath, “For Tony, Dope Spells S-u-c-c-e-s-s,” *Detroit News*, 11 April 1982

<sup>76</sup> David Kryszak, “You Can’t Leave - Alive; the Dope on Young Boys,” *Detroit News*, 14 November 1982

In the runner system, the founders of YBI acted as “big men” operating their own drug crews in the city.<sup>77</sup> They were responsible for procuring drugs and distributing them in large amounts to their lieutenants. They avoided day-to-day sales, using these lieutenants as liaisons to crews consisting of crew bosses and runners. Lieutenants were responsible for the care and transport of heroin and money as well as security for their crews. They killed people when necessary. They were, therefore, exposed to great risk, but were able to limit this somewhat by delegating responsibility to crew bosses. Lieutenants were generally members of YBI, while crew bosses were not necessarily.

Crew bosses were the shop floor managers of the underground economy, and with them the class implications of this new model of street sales became most clear. They dispensed drugs on consignment to runners, who sold them to addicts. They then collected the funds and transmitted them back to lieutenants, acting as accountants or treasurers to crews. They hired and fired the runners underneath them, and were responsible for disciplinary procedures against them. They also determined the profit share that runners accrued on sales, and paid them.

In this informal economy of precarious labor, the drug runners were the proletarians. They occupied the lowest rung in the distribution hierarchy, and were responsible for direct hand-to-hand sales to users on the streets. A crew boss gave the

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<sup>77</sup> The following discussion of the hierarchy of the runner system relies on Thomas Mieczkowski, “Street Selling Heroin: The Young Boys Technique in a Detroit Neighborhood” (Ph.D. diss., Wayne State University, 1985), 118-81.

runner heroin packs on consignment, and for each pack sold, the runner received a fraction of the sales price, usually around two dollars. They were overwhelmingly young, black men. They were not drug addicts, and YBI generally discouraged drug use among its members and employees. One sociologist calculated that runners reported a daily wage of around \$160.<sup>78</sup> For a ten and a half hour shift, this amounted to around \$14 an hour, far more than the minimum wage they might expect in the service industry.

YBI's innovative system consolidated the many informal work groups in the streets of Detroit in the 1970s into an informal economy that channeled the energy and direction of those groups. It gave them an opportunity to "graduate," as Greg Taylor said, to "bigger things."<sup>79</sup> It was in this capacity, in fact, that Taylor met Raymond Peoples. Taylor soon recognized that "the best place to sell" the expensive jewelry he was stealing from the suburbs was "to the dope men. So a lot of times, we would sell them to the YBI. Or the leaders of the YBI. 'Cause they were the ones that had the money." Taylor even said that YBI members tried to recruit Taylor and his informal work group, but they declined. The intersection of these two worlds suggests, however, the extent to which the city's informal drug economy spawned its own secondary "parts suppliers," as the automotive industry once had.

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<sup>78</sup> Mieczkowski, 127.

<sup>79</sup> Greg Taylor interview.

Andre Diggs was a “young boy,” and a pre-sentence report filed during the federal government’s case against Sylvester Murray, an important source of heroin for YBI, demonstrates the progressive hustles young people engaged in as well as the precarity that continued to dominate Detroit’s economy at the grassroots.<sup>80</sup> Diggs’ arrest record consists of five arrests, two as juveniles. His juvenile arrests are for breaking and entering, and his first arrest as an adult was for disorderly conduct. But at age twenty, Diggs was twice arrested for possession with intent to deliver heroin. He had clearly graduated to more serious and profitable endeavors. His employment record suggested he was as willing to work in the formal but precarious service sector as he was selling heroin. At age 16, he worked as a dishwasher making \$2.65 an hour. As a runner, Diggs would have to sell about eleven packs of heroin to make what he made in eight hours washing dishes. Diggs only lasted three weeks as a dishwasher, after which he was unemployed for almost a year before finding another dishwashing job, for five cents more. This time he lasted a month. He followed this with a job at a Chrysler dealership, where he received the same amount he had made in his first dishwashing job. This is followed by a three-year gap, from 1978 to 1981, where Diggs neither worked nor registered any arrests. It may be that during this time Diggs served as an extremely skilled runner or even crew boss on the streets of Detroit.

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<sup>80</sup> Andre Diggs Presentence Report, May 5, 1983, Folder 28, Box 28, Case #82-80591, National Archives and Records Administration at Chicago, IL

YBI's runner system replicated much the same precarious social relations of the service economy with which Diggs was familiar within individual crews. An examination of the practice of "pinching" among runners demonstrates this. "The art and strategy of selling heroin," sociologist Thomas Mieczkowski observed in his ethnography of YBI's street sellers during the 1980s, "is a skill that has to be successfully mastered by the runner."<sup>81</sup> It involved numerous challenges, chief among them its illegality. In spite of their juvenile status, runners were careful to get their customers, preferring not to sell heroin "to anyone who is not an established and recognized customer or, in their perception, someone who is not an *obvious* addict." Runners also sought to mitigate their risk of arrest by only acquiring new customers through recommendations from trusted customers. Part of the mastery of their position was learning how to "pinch" heroin. Pinching consisted of "skimming off small quantities of heroin from each bag that the runner receives as his consignment." The runner then collected these quantities into his own envelopes of heroin. After collecting enough, he could sell the envelope to a customer and clear the full amount, usually between ten and twelve dollars, rather than the two dollars per pack he received from packs given to him by a crew boss. "Although these cuts are small," Mieczkowski reported, "in the course of a work day they can amount to a significant quantity of heroin, since runners see a substantial number of customers in the course of a normal shift. Pinching just one

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<sup>81</sup> Mieczkowski, 123-26.

twenty-fifth of heroin from the approximately 135 envelopes the average runner sold amounted to a three pack per shift pinch, which represented a considerable portion of his daily wage.”<sup>82</sup>

The “pinch” was a form of labor resistance on a subterranean frequency. Crew bosses and lieutenants above them punished it as such. “The pinch,” Mieczkowski said, “represents according to the crew bosses and lieutenants, the most serious and costly violation of work rules by runners.” YBI’s “money-back guarantee” was allegedly critical to its early success in Detroit’s competitive heroin market. The pinch undermined the quality of the brand names YBI used to guarantee the quality of its product among heroin users. The pinch and other forms of labor resistance could be mortally precarious. In response to these tactics, crew bosses, who were responsible for workplace discipline among the crew, resorted to “scandalous” measures to deter that behavior and assure customers of their commitment to quality. One crew boss reported to Mieczkowski that he had placed a cocked pistol to a runner’s chest who he believed was pinching. The crew boss told Mieczkowski that he never planned on shooting the runner, but felt, according to Mieczkowski, “he had a lot to gain from having a ‘scandalous’ reputation.” Another crew boss told Mieczkowski that he had reported a money shortage to the lieutenant who had given him his heroin supply on consignment. The lieutenant

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<sup>82</sup> Thomas Mieczkowski, “Geeking Up and Throwing Down: Heroin Street Life in Detroit,” *Criminology*, vol. 24, no. 4 (1986), 654.

promptly went out in the street and killed the runner, who, Mieczkowski said, “died with no knowledge of why he had been condemned.” Crew bosses regarded the use of violence as “regrettable, but necessary,” Mieczkowski reported.

The “scandal” of YBI’s runner system amounted to its introduction of capitalist social relations into the informal economy of the streets. In the past, groups like the Jitterbugs or Greg Taylor’s Fenkell Avenues practiced, as Taylor said, a kind of democracy. Motivated by bigger and bigger “hustles,” these work groups collectively decided how to carry them out. Crew runners had no such autonomy. Their labor was organized by crew bosses, who were responsible for hiring and firing them, gave bonuses, integrated new and old runners into an effective unit, and distributed losses among runners themselves. A similar social dynamic evinced itself in “hooking up,” the process by which heroin was mixed with adulterants for distribution. Whereas Bomani hooked up on his own, buying a tablespoon of heroin and mixing it with lactose and quinine to triple his money, YBI hired wage labor. “It was just like any other business, such as Ford or General Motors,” Milton Jones said.<sup>83</sup> “I had an assembly line” that consisted of “three hook up crews that worked an eight hour shift and hooked up dope twenty-four hours a day.”

Because it was illegal, however, YBI’s runner system undermined the social order of the city even as it sought to replicate its economic order. A trip to the Ohio

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<sup>83</sup> Jones, 77.

amusement park Cedar Point conveyed a sense of this. Before the trip, Jones remembered taking YBI members to a shoe store at the mall. "I went out and spent about twelve thousand dollars in one whop," he said. "It wasn't nothin' to go to the mall and get whatever we wanted."<sup>84</sup> Being able to buy anything they wanted was a reversal of many young African American men's experiences in these malls. The Jitterbugs sought a similar reversal when they staged competitions to see who could steal the most from Northland Mall with rival groups. And indeed, YBI's experience at the shoe store paralleled that of Bomani during the 1967 rebellion. Everything, essentially, was free. Being a part of YBI destabilized the relationship one had to commodities, to social wealth, and gave one access where otherwise that access was denied. On the freeway driving to Cedar Point, Jones described a festive atmosphere. "When we got to the freeway we was holdin' the west side down baby! Man, we was flyin' down the freeway," he remembered, "like we owned the mothafucka ... we took over the freeway that day." And finally, "the police wasn't nowhere to be found."<sup>85</sup> This experience contrasted sharply with that of Charles Rudolph, who grew up in a Detroit in which streets rigidly demarcated space, and the ticket office downtown was filled with Black Detroiters fined for crossing borders spoken and unspoken.

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<sup>84</sup> Jones, 53.

<sup>85</sup> *Ibid.*, 53.

Darryl Young poignantly demonstrated the close relationship between Detroit's devastated industrial economy and the emergence of YBI. After graduating high school, Young got a job working at a warehouse for a local audio system company.<sup>86</sup> He quickly rose to manager and then general manager before buying a franchise in 1979. That franchise was destroyed by fire in 1981, for which Young received \$10,000. After becoming involved in YBI, Young demonstrated a similar skill set, and was entrusted with responsibilities as an "accountant and depository for narcotics and money." Darryl Young was arrested during one of the raids that served as the culmination of the joint investigation into YBI between the Detroit Police Department and the DEA. Released the same day of his arrest, Young fled to California after learning that Federal authorities allegedly told other indicted members of YBI that he was cooperating with the government to make a deal. In California, Young immersed himself in the formal economy, seeking and holding jobs wherever he could be hired. He worked at a hotel chain, in a temp agency in the aerospace industry, as a mailroom clerk, and as a senior accounting clerk. All the while, his intention was to demonstrate something he had little opportunity to demonstrate in Detroit, that he was "a hard-working, law-abiding member of society." A probation officer who visited Young's California home reported that it did not "give the appearance of being maintained beyond the financial

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<sup>86</sup> Darryl Young Presentence Report, June 22, 1987, Folder 25, Box 27, Case #82-80591, National Archives and Records Administration at Chicago, IL; Darryl Young Sentencing Memorandum, August 31, 1987, Folder 25, Box 27, Case #82-80591, National Archives and Records Administration at Chicago, IL.

capabilities” of Young and his future wife. In contrast to his YBI days, in which Young and others refused their place in the social distribution of wealth, in California, Young had learned to live according to his place. Young turned himself in to federal authorities after four years on the run, in part because he missed his family, in part to demonstrate to authorities that he could work regularly over “an appreciable period,” and in part because he wanted “to conclude this past aspect of his life.” As a high-level member of the inner circle of YBI, Young was sentenced in 1987 to seven years in prison.

The two-year investigation into Young Boys, Inc., revealed that several things had changed since the Pingree Street trial.<sup>87</sup> Most strikingly, it revealed the extraordinary youth of the organizers of YBI — none of them were over thirty, a stark contrast with the Pingree Street era. But that investigation, and the resulting trial, also revealed that the criminal justice system had changed in significant ways since journalist Howard Kohn bemoaned its laxity years before. The many complaints Kohn had about the judicial system — a lack of funding and coordination among law enforcement agencies at all levels; stringent restrictions on the use of wiretaps; low bonds; and the huge financial assets of drug dealers — no longer applied in the legal environment members of Young Boys, Inc., encountered.

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<sup>87</sup> See Sylvester Murray, et al., Trial Documents, Case #82-80591, National Archives and Records Administration at Chicago, IL

In subsequent testimony before the Senate Permanent Subcommittee on Investigations, U.S. Attorney Leonard Gilman emphasized the importance of the YBI case in substantiating a new approach to law enforcement.<sup>88</sup> Gilman stressed the “cooperative effort” between the DEA and IRS with local law enforcement in the Detroit Police Department and Michigan State Police. Gilman also underlined the significance of wiretaps to the case against YBI. “This successful investigation,” Gilman concluded, demonstrated the merits of the government’s “current emphasis on high-impact cases in an effort to reach beyond the streets and apprehend those who exercise power and control in major trafficking groups.”

On the basis of evidence compiled through this “cooperative effort” over two years, officers from federal and local agencies conducted a raid on YBI that netted 18 members of a 41-person indictment.<sup>89</sup> Sylvester Murray, one of YBI’s main heroin wholesalers, was levied a \$10 million dollar bond, “the highest ever placed on a defendant in Federal Court history in Detroit.”<sup>90</sup> This contrasted sharply with the relatively low bonds that Pingree Street defendants had enjoyed, and which the government believed allowed them to continue distributing drugs, and profiting from

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<sup>88</sup> Statement of Leonard Gilman, United States Attorney, Eastern District of Michigan, Before the Senate Permanent Subcommittee on Investigations Concerning the Young Boys Case - An Example of Non-Traditional Organized Crime, January 26, 1984, National Criminal Justice Reference Service, <https://www.ncjrs.gov/app/publications/abstract.aspx?id=94478> (accessed July 7, 2014).

<sup>89</sup> Jim Tittsworth and Don Ball, “Busted; Cops Seize 18 in Young Boys Inc. Drug Raid,” *Detroit News*, December 8, 1982.

<sup>90</sup> Don Ball, “\$10 Million Bail for Top Suspect,” *Detroit News*, December 8, 1982.

them, while under indictment. When he was found guilty, Murray faced a 15-year prison term without parole.<sup>91</sup> Once found guilty, Murray's assets were subject to forfeiture, and he had four residences seized by the government.<sup>92</sup>

When Murray submitted a motion for a sentence reduction, Ralph Guy, Federal Judge for Michigan's Eastern District, issued an opinion that summarized the altered legal context.

Whether rehabilitation is even a goal of our current penal system is open to question. One of the offenses of which the defendant was convicted required this court to sentence him to a minimum ten-year prison term. It is obvious that Congress, in enacting that type of penal statute, was interested in punishment and deterrence as opposed to rehabilitation. This defendant was not involved in short-term situational crime, but was part of a well-orchestrated, organized, drug acquisition and distribution conspiracy which spanned a long period of time. Defendant's proceeds from such illegal activities can only be measured in millions of dollars. There comes a time when one has to pay the piper.<sup>93</sup>

Judge Guy's reasoning in rejecting Murray's appeal raised once again the extent to which African American people might expect to be treated like citizens in the United States, in particular if they refused the social distribution allotted to them. Guy noted in his opinion that Milton Jones, one of YBI's most important leaders, received a lower sentence than Murray in part because he "voluntarily surrendered," thus "saving the government the time and effort from finding him." More to the point, in the government's sentencing memorandum for Murray, it noted, "Lack of cooperation may

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<sup>91</sup> Tim Kiska, "Young Boys Chief Is Given 15 Years," *Detroit Free Press*, August 4, 1983.

<sup>92</sup> "Order of Forfeiture," issued by Judge Ralph Guy, 5/28/85, Box 29, Case #82-80591, National Archives and Records Administration at Chicago, IL.

<sup>93</sup> Ralph Guy Opinion in Murray's appeal, 11/5/85, Folder 29 (Vol. 29), Box 29, Case #82-80591, National Archives and Records Administration at Chicago, IL.

be given some consideration when assessing defendant's potential for rehabilitation."<sup>94</sup>

On the other hand, applicants for sentence reduction who "cooperated willingly and fully with the prosecuting authority" have at times received reduced sentences.<sup>95</sup>

Murray and a close group of his personal associates were the only of the 41 people indicted to seek a jury trial. All other defendants took a plea agreement and were sentenced accordingly. Murray's demand for a constitutionally guaranteed trial, then, elicited a stiffer penalty during his sentencing.

Members of YBI also found the provisions of the Youth Corrections Act of 1950 closed to them. Enacted after a rise in juvenile crime in the 1940s, the act established sentencing alternatives to youthful offenders between the ages of eighteen and twenty-four.<sup>96</sup> Its purpose, according to one legal scholar, was "to prevent recidivism by emphasizing rehabilitative treatment rather than retributive punishment."<sup>97</sup> But of available records for YBI defendants eligible for the Youth Corrections Act, only one of ten did not have that eligibility expressly foreclosed. This meant that in a case that featured overwhelmingly youthful offenders, the provisions of indeterminate sentencing

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<sup>94</sup> Government's Sentencing Memorandum, 7/25/83, Folder 29, Box 29, Case #82-80591, National Archives and Records Administration at Chicago, IL.

<sup>95</sup> "Government's Response to Motion for Reduction in Sentence," 10/10/85, Folder 29, Box 29, Case #82-80591, National Archives and Records Administration at Chicago, IL.

<sup>96</sup> Michael Fusz, "Probation Under the Federal Youth Corrections Act" 53, no. 1 (January 1976), 79-96; Fred C. Zacharias, "The Uses and Abuses of Convictions Set Aside under the Federal Youth Corrections Act," *Duke Law Journal* 1981, no. 3 (June 1, 1981): 477-514; Mary Ellen Stanley, "Federal Youth Corrections Act - Limiting the Right to Treatment under the Federal Youth Corrections Act," *Suffolk University Law Review* 16 (1982): 836-47.

<sup>97</sup> Fusz, 79.

at the discretion of parole boards and the expungement of records were not accessible to them. The effect was that defendants in the YBI case served longer sentences and carried criminal records with them throughout their lives upon completion of those sentences. But as Judge Guy noted in denying Sylvester Murray's appeal, it was no longer clear that rehabilitation was the goal of the U.S. penal system.

### ***Conclusion***

Young Boys, Inc., challenged the social distribution young African American men in Detroit had been assigned by police, elected officials and even other African Americans imbued with the politics of respectability. Even as they sought to replicate the capitalist social relations they experienced around them, the illegal means they pursued destabilized that social order. YBI members were aware of this tension. "I'm a black man from the west side, and they were intent on not allowing me to take over the political, economic and social fabric of Detroit," Milton Jones said at the end of his autobiography. "And I'll tell you, had they not created a law to bring me down, that's exactly where I was headed." Jones grasped how arbitrary the social order was, and it was something YBI members felt when they bought shoes, or clothes, or anything else to which they otherwise could make no claim. "Hell, somebody had to take over this city," Jones concluded, "Why not me?" The reason was that while he was able to govern he was not permitted.

A similar question was involved in the struggle to define Raymond Peoples' legacy after he was shot and killed in 1985, just a few months short of his thirtieth birthday. Robert DeFauw, head of the Detroit DEA, told newspapers following Peoples' death that, "in the narcotics trade, justice has a way of taking care of itself on the street." The comment ironically suggested that the courtroom was no place for people involved in the city's drug trade to pursue justice. In her editorial, "Black kids learn the wrong lesson from Raymond Peoples," in the *Detroit News*, June Brown, the paper's notable African American columnist, cast similar aspersions.

The reason Peoples' influence lives is that many young black men are acting out every facet of his notorious life and have learned nothing from his death. His clones are active in every large city, breeding violence in schools, filling up jails or being slain in the streets. They are destroying themselves because when they are called on to choose between good and evil, they adjust their morality to the occupation that brings the most dollars.<sup>98</sup>

These sentiments were nothing new from Brown, who rarely failed to counter attempts to explain the throes of urban crisis the city was experiencing in terms not of dramatic structural economic changes wreaking havoc on the inner city but rather as individual decisions by the city's young people.<sup>99</sup>

The meaning of Peoples' death differed dramatically, however, for one member of Young Boys, Inc., who knew him intimately.<sup>100</sup> In a letter to a *Detroit Free Press*

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<sup>98</sup> June Brown, "Black kids learn wrong lesson from Raymond Peoples," *Detroit News*, August 15, 1985.

<sup>99</sup> In one instance, Brown even castigated a police officer who expressed some sympathy for black youth involved in the drug trade, given the obstacles they face. See Brown, "Kid Dope Sellers: Here's Something That Can Be Done," *Detroit News*, April 25, 1982.

<sup>100</sup> George Cantor, "Young Boys Inc. Offered a Camelot to Some Members," *Detroit News*, August 15, 1985.

columnist, the person described joining YBI at age fifteen in 1979. He recalled that, "Our bosses were people in their late teens to early 20s. Raymond Peoples, Mark Marshall and the late Dwayne Davis all joined YBI in '76 before they were old enough to vote." The author held Peoples in particular reverence. "I was close to all the members, as well as to ... Raymond Peoples, who was the real driving force behind the Boys. He dominated." He then described what his experience with Young Boys meant to him. "The years ... I worked for YBI were to be the most interesting and very rewarding [*sic*] of my entire life. I saw what great friends they were. ... Sir, they really cared about me and about others." Examining the bond he felt with other YBI members, the author wrote, "those dudes were the closest people to me on Earth." The author concluded on a hopeful note, turned sour in the circumstances: "Raymond (Peoples) will be getting out soon and things will be a little better." Columnist George Cantor, to whom the letter was addressed, conjured something of the tremendous loss of human potential contained in the urban crisis against which YBI in some paradoxical way strove. "Articulate and bright. A mind with possibilities. Not quite the image you had of a typical Young Boys' hood? Of course, he never mentions that the business he was in was destroying the lives of other Detroit kids with dope and that murder was part of the everyday routine. What he recalls instead is a kind of golden age, a distorted and misshapen Camelot, the camaraderie of a murderous Boystown, a caring group against the chaos of the streets."

Young Boys, Inc., created a complex internal hierarchy and utilized young people to distribute drugs on the streets of the city, the organization simultaneously replicated shop floor relations in the factories that once dominated the city's social life. At the same time, it took advantage of the increasingly precarious social organization wrought through the abandonment of the city by those same factories. Meanwhile, the organization posed a tremendous challenge to attempts by Coleman Young, the police department, policymakers of all kinds, and African Americans who aspired to govern. By doing so the group challenged the leadership function of those elites who had long seen themselves as the inheritors of the mantle of leadership within that community. The tensions between these two sectors were closely related to ideas about respectability held by members of the old guard African American elite that had long attempted to distance itself from the racist notions of criminality whites perennially attributed to blacks. But the criminalization of poverty, youth, and race that the so-called war on drugs inaugurated largely replicated the criminalization of African Americans that had long plagued the United States, in the North as well as the South. The established elite in the African American community, while sensitive to the latter, failed to recognize the former, particularly given the changed context of African American political power in the nation's urban centers. Adherents to liberal law and order established a partition between African Americans who obeyed the law and those criminalized by a racist society. But the boundary was porous. By refusing to reckon with the many difficult

issues the creation of Young Boys, Inc., raised, African American social and political elites to a large extent embraced the criminalization of African American poverty and youth that emerged in the 1970s. This had particularly devastating consequences in the 1980s, as the Reagan administration instituted a war on drugs with particularly dire consequences on an African American community bereft of principled opposition to mass incarceration of the inner-city denizens most affected by these policies.

## Conclusion

“A worker who had never learned how to write and yet tried to compose verses to suit the taste of his times was perhaps more of a danger to the prevailing ideological order than a worker who performed revolutionary songs”

- Jacques Ranciere, “Good Times, or, Pleasure at the Barriere”

“In Detroit’s streets, what a rich man throws away is what a poor man eats.”

- Esham, *Boomin’ Words from Hell*

In 1974, amid the collapse of the New Deal order and its governing logic, three African American siblings in Detroit issued what was at once an apology and a warning. “I’m sorry it had to end like this,” Death sang on “Keep on Knocking,” a break-up song that resonated in the context of the 1970s, before concluding, “there’s so many things I can do.” What black youth did in Detroit in the 1970s was participate in a wildcat of the streets – crimes large and small that served as tacit protest against the changing economic circumstances of the 1970s. An African American political elite, recently arrived in the halls of government and represented by Coleman Young locally, and the members of a New Deal political coalition occupying a prominent position in courtrooms, such as James Lincoln, responded to that wildcat with a set of strategies that contributed to the criminalization of poverty, youth, and race we know today as mass incarceration.

The wildcat of the streets imperiled the claim to govern made by those political elites. But they acted within a constrained social, political, and economic environment. Deindustrialization and the movement of factories outside the city meant that Detroit

faced unprecedented levels of unemployment at the same time as the federal government cut social welfare programs but offered incentives to gain criminal justice funding by adopting harsh federal sentencing guidelines. The political power of northern, urban and deindustrializing cities had also decreased dramatically by the 1970s, not least due to Republican political considerations and the movement of factories from the Rustbelt to the Sunbelt. Detroit's metropolitan political context offered little viable alternative, as suburban leaders maintained hostile attitudes toward the city that registered well among their own political constituents. Within cities, members of black urban regimes – African American elected officials governing majority or near-majority non-white municipalities – also contended with rising levels of street crime and calls for a harsher stance on crime emanating from an important electoral constituency, the African American community itself.

In Detroit, Coleman Young decided – 100 days after he'd been in office, with the city's controversial and deadly police decoy operation dismantled and affirmative action hiring practices underway – that the police department was well on its way to reform. When the damage from the Livernois disturbance in July 1975 remained relatively contained, Young declared himself proud of the police force and suggested it offered renewed hope for the city. James Lincoln, the city's lone juvenile judge from 1960 to just before his retirement in 1977, had undergone a similar reversal rooted in the approach to criminal justice he and Young shared: liberal law and order that sought to purge racial

bias in order to reassert the state's monopoly on the use of violence and set the criminal justice system on a firmer institutional footing.

But the Livernois disturbance was only one dramatic incident in a wildcat of the streets that would percolate and transform throughout the 1970s. From the informal associations of youth, rooted in part in the city's ongoing racial antagonisms, youthful cliques acquired social and economic functions. Through them, young people gained a sense of security against rivals, pursued their own creative endeavors, and committed crimes. At times, those crimes had social reproduction as their object: They made up for the diminished access to the formal economy young people in the 1970s experienced. At others, there was no altruistic or political motivation, liminal or subliminal.

Still, the wildcat of the streets had political effects. It threatened to undermine the planned revitalization of the city's downtown area that Coleman Young, Henry Ford II, chairman of Ford Motor Company and a major proponent of downtown development, and the city's investors hoped would lead to a turnabout in the city's fortunes. As a result, young people found themselves harried from public spaces, had curfews imposed on them, and were reduced to the status of denizens and not citizens of the city. It was a status African Americans were familiar with from before the 1967 urban upheaval. That event signaled a significant rupture with how people understood society, how they believed its wealth should be distributed, and what role ordinary citizens – working people broadly speaking, not political elites – should play in determining that

distribution. Policing under Coleman Young re-established order in the city, but the cost was the sense of belonging, the idea of citizenship that the city's residents briefly acquired.

Raymond Peoples bridged the factory and the streets. A former factory worker, Peoples was a central figure in Detroit's wildcat of the streets. Not long after his acquittal in the trial of the Livernois Five, Peoples organized the informal associations that existed in the streets of Detroit as he had organized his friends during the Livernois disturbance. He gave those organizations above all an economic purpose. In response to the Rockefeller Drug Laws introducing mandatory minimums for drug trafficking in 1973, and Michigan's own version of those laws passed in 1978, Peoples helped create the drug crews that introduced hierarchical capitalist social relations into the informal drug economy of the streets. In this way, he helped forge what one activist in the Revolutionary Socialist League called a "capitalism of the oppressed."<sup>1</sup> By the time Young Boys, Inc., was indicted in December 1982, it faced a different legal environment than had its counterparts in the 1970s. Cooperation between different layers of government bureaucracy in investigating drug organizations had increased dramatically; wiretaps were now standard in investigating those cases; bonds had increased to the point that they were all but impossible to pay; and the financial assets of drug dealers were now subject to government seizure. This was the legal environment in

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<sup>1</sup> Mike Ermler, phone interview by author, January 24, 2011.

which Reagan's emboldened War on Drugs confronted a generation of young people in the nation's cities in the 1980s, a generation still further removed, in many instances, from the waged industrial economy that reached its apogee in those cities long before, and in the 1980s had little distance left to descend.

By the late 1980s, as Coleman Young began his unprecedented fifth and final term in office, African American youth had coined their own term for the city's streets: Hell. Esham, a Detroit rapper known for creating harrowing tales of street life imbued with heretical themes, described the term's origins in an interview years later. "It was all an expression about Young Boys, Incorporated, Mayor Coleman Young, the city we lived in and just the turmoil that our city was going through at the time."<sup>2</sup>

Esham's words reflected not nihilism but an insightful analysis of the social circumstances African American youth faced in Detroit in the late 1980s. His first record was called *Boomin' Words from Hell* and in one song he describes his profane intellectual trajectory.

When I was five my mind started to blow up / Told my teacher I wanted to be like Hitler  
when I grow up. / When I was seven disregarded the laws of heaven / I went to church  
on Sunday and I cussed out the reverend. / When I was ten I started committing sin /  
Witchcraft and Voodoo with needles and pins. / When I became an adolescent / I never  
learned my lesson / putting holes in motherfuckers with a fucking Smith and Wesson.<sup>3</sup>

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<sup>2</sup> William E. Ketchum, III, "Mayor Esham? What?" *Detroit Metro Times*, October 15, 2008, <http://www2.metrotimes.com/music/story.asp?id=13341> (accessed July 23, 2014).

<sup>3</sup> Esham, "My Nine Rhymes," *Boomin' Words from Hell* (MP3), reissued, 2008.

Esham is drawn to a variety of unorthodox and unsavory influences: white supremacy, sin against a Christian god, non-Christian religious practice, all of which seem to prepare him for a dangerous life on the streets.

Elsewhere, Esham describes in detail his involvement in the city's informal drug economy. "Born broke, beat up, and always hungry" the above song begins, but "never thought I'd turn into a criminal." This surprise about participating in the city's informal economy repeats on the song "Word After Word," and a sense of that participation as finally inevitable suffuses the album. "Crime is life, and life is crime," Esham sings on "Esham's Boomin'," the album's title track. This song is a powerful narrative of a crack deal gone wrong, flight from police, and peremptory murder, all facilitated by a type of knowledge YBI helped popularize: "I'm not eighteen, so I can be wild / 'Cause in the court's eyes I'm still a juvenile." At less caustic moments, the song invokes the social circumstances that led Esham to a life of crime: "You might think I'm a statistic or worthless repeat / but if I don't sell drugs then I won't eat." The song concludes on a parallel note in an imperative tone: "Wake up to reality / I don't have a negative personality / but everyone has to do what they have to to get by." This reality forms the backdrop informing Esham's embrace of heretical cultural signifiers. On the song "Word After Word," Esham provides the intellectual architecture undergirding his heresy: "I'm not an atheist / but what has God done for me? / Oh, he let me grow up in the motherfucking ghetto / Thanks for nothing, motherfucker."

In Detroit and elsewhere, a generation of precarious youth shaped by the experience of the wildcat of the streets and its legacies participated in the creation of a new form of music, hip hop, that captured their sensibility and experience. Hip hop ratified an accomplished fact: the emergence onto the political stage of poor and working class African American youth unmoored from the civil rights legacy but by no means adrift: “Who gives a fuck about you / nobody but you / But I didn’t have to tell you that / ‘Cause that’s something you already knew.”<sup>4</sup> When Esham wrote *Boomin’ Words from Hell*, he embraced the subject position assigned to him – the U-N-H-O-L-Y, the noncitizen, the one who did not count in the political order – and by doing so, castigated the society that excluded him in the harshest possible terms.<sup>5</sup> Esham’s problem was not what god had done to him, but what his country had done – made him a criminal. The wildcat of the streets spoke to its own time in a similarly harsh vernacular.

It was a reality that resonated widely. Just before Esham’s debut, N.W.A, a Compton, California, based hip-hop group, mixed the heretical with a critique of social reality from which some members of the black community demurred in the era of black urban regimes. One of their most controversial songs could have just as easily been written in Detroit under Mayor Coleman Young as under Tom Bradley, mayor of Los

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<sup>4</sup> Esham, “Cross My Heart, *Boomin’ Words from Hell*.”

<sup>5</sup> Esham adopts the persona of the “U-N-H-O-L-Y” on the song “4 All the Suicidalist,” *Boomin’ Words from Hell*.

Angeles from 1973 to 1993: "Fuck Tha Police." Meanwhile, four years after the release of Esham's *Boomin' Words from Hell*, New York City rapper Nas released his own debut, *Illmatic*. The refrain of one of the album's hit singles echoed a sentiment that appeared repeatedly on Esham's record: "Life's a bitch and then you die / that's why we get high / 'Cause you never know when you're gonna go." The sense of precarity to which the wildcat of the streets in Detroit responded has haunted young people in the nation's cities ever since. But by the early 1980s, a solution to the wildcat of the streets had been found: the mass incarceration of a generation of precarious youth.

## Interviews

General Baker  
Bomani  
D.C.  
Paul Carson  
Robert Day  
Mike Ermler  
Dianne Feeley  
Alvin Grimes  
Karen Jean Hunt  
Johnny and Tracy McGhee  
Tracey McGhee  
Nick Medvecky  
Miriam Pickens  
Carmen Regalado  
Osvaldo Rivera  
Charles Rudolph  
Jere Stormer  
Greg Taylor  
Wendy Thompson  
Fred Vitale  
Delores and Marva Wynn

## Archives

### I. Bentley Historical Library

George Romney Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI (GRP).

James H. Lincoln Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI (JHLP).

Detroit Urban League Records, Bentley Historical Library, University of Michigan, Ann Arbor, MI. (DULR).

Methadone Treatment for Heroin Addiction Oral History Project, Bentley Historical

Library, University of Michigan, Ann Arbor, MI (MTHA).

William Lucas Papers, Bentley Historical Library, University of Michigan, Ann Arbor, MI (WLP).

II. Criminal Records, Detroit Recorder's Court, Detroit, MI

III. Charles H. Wright Museum of African American History

Coleman A. Young Papers, Charles H. Wright Museum of African American History, Detroit, MI (CAYW).

IV. Special Collections Library, University of Michigan

Joseph A. Labadie Collection, Subject Vertical File, University of Michigan Library (Special Collections Library), Ann Arbor, MI.

V. Walter P. Reuther Archive, Wayne State University

Coleman A. Young Collection, Walter P. Reuther Archive, Archives of Labor and Urban Affairs, Wayne State University (CAYC).

UAW Vice President's Office: Douglas A. Fraser Collection, Walter P. Reuther Library, Archives of Labor and Urban Affairs, Wayne State University (DAFC).

Kenneth and Sheila Cockrel Collection, Walter P. Reuther Library, Archives of Labor and Urban Affairs, Wayne State University, Detroit, MI (KSCC).

Mel Ravitz Collection, Walter P. Reuther Library, Archives of Labor and Urban Affairs, Wayne State University (MRC).

New Detroit Inc. Collection Records, 1967-1975, Walter Reuther Library, Archives of Labor and Urban Affairs, Wayne State University, Detroit, MI (NDIC).

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## Biography

Michael Stauch, Jr., was born in Detroit, Michigan, on January 5, 1981. He graduated *summa cum laude* from Wayne State University in 2004, receiving bachelor's degrees in English and German. Stauch also attended Ludwig-Maximilians-Universität in Munich, Germany, in 2001-02. After several years working at a bookstore in Detroit and pursuing political organizing in the city, Stauch entered the doctoral program in history at Duke University, where he received his master's degree in 2011. He attended the Clinton Institute of American Studies Summer Program in Dublin in 2012, and has been supported in his research by the Labor and Working-Class History Association and the Duke History Department. In 2014, he was the recipient of the Anne Firor Scott Dissertation Completion Fellowship.