

Red Squad Files to be Opened

Fifth Estate Collective

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The law suit seeking to stop Detroit and State Police political spy units and open up secret police files may be drawing to its final stages. Wayne County Circuit Court Judge James Montante has appointed liberal Detroit attorney Arthur Tarnow as a monitor for releasing the files after determining the best procedure "at a reasonable cost to the city and state."

Although attorneys in the suit do not believe all material in the so-called red squad files has been released to them by the police agencies, the two departments do admit to having dossiers on 138,000 people, organizations and publications (including this newspaper).

As of this time, it appears the method for releasing the files will be to send first class mail notices within six months to those listed at addresses taken from the state drivers license bureau.

This procedure has been questioned by some as it will provide the state with a comprehensive, up-to-date list of people they may have lost track of. Other options would be to have public advertisements announce the availability of the files and let it be a question of personal preference as to whether an individual seeks their file or not.

One important concession won from the state and city is that there are no waivers to the right to seek damages against either police agency by those who have their files released to them and who may have had their privacy invaded, suffered job loss, or had untrue information reported to others about them.

The spying and harassment was so extensive over the years that Detroit Mayor Coleman Young said last year (See May 1976 FE), after seeing the files, "There's not enough money in the National Bank of Detroit to pay the damages if they do (sue)." Young, an erstwhile Stalinist in his youth, was unable to see his personal file as it was destroyed upon his being elected.

As the reality of the release of the files draws near, the police, who are charged with massive civil rights violations, burglaries and wire tapping, have been clamming up. A recent attempt to take pre-trial testimony from three State Police red squad cops was thwarted when the trio appeared with their own lawyer after declining the services of the state Attorney General.

They asked Judge Montante for immunity from criminal prosecution and assurances that they would not be sued for money damages. The judge was willing to grant the criminal immunity, but said he was unable to do so in a case of civil damages, whereupon the police invoked the Fifth Amendment privilege against giving evidence that may tend to incriminate them.

Those wishing more information on the red squad law suit may send \$2 to the Citizens' Committee to End Political Surveillance, 506 Monroe, Detroit, MI 48226, to receive their bimonthly newsletter.

Related

Although the State files were released in 1984 to those who were spied upon, final authority to proceed with release of the Detroit red squad files was just granted in April 1990. See "Detroit Seen," FE #334, Summer, 1990.



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