

The Coat Puller

John Sinclair

1967

First, thanks to all of you who responded to our plea for help last issue—the Defense Fund is growing slowly, and hopefully, I'll be able to turn it all over to our long — suffering attorneys when things get rough. Again, if everyone who reads this and is at all sympathetic to marijuana smokers who are presently heavily penalized by Michigan's, cruel and unusual presently statutes, would sit down and send off a dollar or whatever you can spare to the John Sinclair Defense Fund, we could easily raise enough money to cover expenses in the trial.

On Friday, October 20, Recorder's Judge George Crockett consented to hear my motion to quash information (dismiss the case). The motion reads in part as follows:

Now comes JOHN A SINCLAIR, Defendant herein, by and through his attorney, JUSTIN C. RAVITZ, and moves this Honorable Court to quash the information in the above — entitled case (People of the State of Michigan vs. John A. Sinclair) for the following reasons:

1. That Defendant JOHN A. SINCLAIR is charged in the information with having sold and possessed two cigarettes containing 11.50 grains of Cannabis Sativa contrary to Section 2 and 3 of Public Act 266 of 1952.

2. That Public Act 266 of 1962 classifies Cannabis Sativa as a "Narcotic," and that such classification is unconstitutional and contrary to equal protection guarantees embodied in the Fourteenth Amendment to the United States Constitution.

3. That Section 3 of Public Act 266 of 1952, proscribing possession of Cannabis Sativa, violates constitutional guarantees of due process embodied in the Fourteenth Amendment to the United States Constitution...as well as in the Ninth Amendment to the United States Constitution.

4. That Section 2 of Public Act 266 of 1952, proscribing the sale of Cannabis Sativa, is, at least in its application to Petitioner, violative of due process guarantees of the Ninth and Fourteenth Amendments to the United States Constitution...

5. That Sections 2 and 3 of Public Act 266 of 1952 are unconstitutional and void in that the penalty provisions of said Act inflict cruel and unusual punishments contrary to the Eighth Amendment to the United States Constitution and Article I, Section 16 of the Michigan Constitution of 1963. "Wherefore, Defendant JOHN A. SINCLAIR prays that the information be quashed..." "Dated: October 4, 1967."

The judge has decided not to hear "live" testimony on the motion but will accept affidavits from expert witnesses who would have been brought in to testify, which saves us considerable expense. My attorneys will present their brief November 15, the prosecution has until November 30 to enter its brief, and then the formal hearings will begin on December 15. All of this action is still pre — trial, which means that if we lose the motion we still have recourse to trial by jury on the merits of the case itself, but that would be after the first of the year.

My trial date was set for Wednesday, October 18, until the pre — trial motion was entered and accepted. On Tuesday the 17th, the local narcotics police pulled off another lightning series of raids on criminal grass — smokers and busted three houses in the Warren — Forest area: John Guice's house at 1217 West Warren, an apartment in the Addmoor, 1172 West Hancock, and an apartment in the Calumet Hotel, on Calumet between Third and Fourth.

Underground communications were fast and furious, and LEMAR had agents on the scene at 1217 West Warren almost before the police van drove away. Police had torn up the entire second floor of the house, throwing mattresses and furniture out in the hall, dumping wastebaskets on the floor, and making a general shambles out of the place. Informed sources say that the Raids were engineered by our old friends Lt. Warner Stringfellow and Cop of the Month Vahan Kapegian, formerly known as ‘Louie,’ and that in an interesting development, three police officers including Kapegian were bitten by Guice’s dog.

Paranoia since these busts is running rampant again in the neighborhood, and police are reported to have busted any number of other people more or less surreptitiously. Undercover agents seem to be infiltrating family and tribal units and will do anything to make a buy of anything from a joint to a few kilos. Our advice remains as always: don’t sell or give grass to anyone you don’t know. You can smoke at home or with friends without being hassled, but when you start transferring grass you run the risk of handing some to a police agent.

If police come to your door trying to get in, DEMAND TO SEE THEIR WARRANT. If they haven’t got one, make them break the door down. DON’T LET THEM IN VOLUNTARILY—they have no right to be in your house without an arrest and/or search warrant. If you let the police in your home you are asking to have it searched, and any evidence they might turn up is admissible under most conditions.

If you are arrested, DON’T TELL THE POLICE ANYTHING. Demand access to an attorney and if you don’t have an attorney, call Trans Love at 833-3166 and we’ll try to arrange legal help for you by the morning. Don’t make any “Deals” with the police because they’re liars and crooks and will fuck you up. If you don’t believe me, try them one time.

We still need numbers and names of attorneys who are willing to help young people fight marijuana cases in Detroit courts. If you are a lawyer who can volunteer time and energy in this cause, please contact LEMAR at 833-3166. And special thanks to Bill Segesta, Dennis James and Chuck Ravitz again and again, for all their help all the time.

fifth Estate

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