

Justice in Detroit

New Bethel

Chris Singer

1969

A second man has been ordered to stand trial in the March 29 wounding of Patrolman Richard E. Worobec outside the New Bethel Baptist Church on Linwood.

Clarence J. Fuller, of Detroit, was bound over for trial on a charge of assault with intent to commit murder by Recorder's Court Judge Joseph A. Gillis. Fuller and the first man due to stand trial in the New Bethel Incident, Alfred Hibbitt, also of Detroit, have been both accused of wounding Worobec.

Another officer, Patrolman Michael J. Czapski, was shot to death, according to police, in the same incident.

The five-hour examination was marked by almost constant argument between Gillis and defense attorneys, Milton Henry, Justin Ravitz and Kenneth Cockrel. Gillis denied at least seven motions made by defense, most of them to see various pieces of evidence the prosecution claims to have against Fuller.

Gillis also invoked a seldom-used Recorder's Court rule prohibiting the defense team from acting as a team. The judge ruled that only the one defense attorney who began a cross-examination of a witness could raise objections. At one point, he ordered Ravitz ejected from the courtroom when he continued to raise objections in the procedure.

A prosecution witness, Purvis Bruce, a Royal Oak grocer, testified that he saw Fuller raise a rifle—"I'd call it a carbine"—up to his shoulder and fire about five times at the police car Worobec was allegedly driving.

Police claim Worobec and Czapski were shot when they stopped their patrol car to investigate "10 or 12 Negro males" armed with rifles outside the church. Police charge the assailants were members of the Black Legion, the "army" of the Republic of New Africa (RNA). The RNA, a black group seeking five Southern states for their own, all-black nation, was holding its first anniversary meeting in the church that night.

One courtroom spectator—Jose Flores of Detroit—was fined \$10 for contempt of court during Fuller's examination. He said "wow" after one of the bitter exchanges between defense attorneys and the judge.

Defense Attorneys lost in their bid to move Fuller's trial to federal court.

Following a chaotic pre-trial examination in which Alfred Hibbitt was bound over for trial attorneys for Fuller petitioned Federal District Judge Thaddeus M. Machrowicz, asking that his trial be moved from Recorder's Court.

Their petition read, in part: "No white citizen in any case in Detroit Recorder's Court has in modern times been subjected to the wholesale violations of civil rights as was Alfred Hibbitt."

The petition was filed under the 1866 Civil Rights Law that has been used to secure the legal rights of non-whites in the South. Defense attorneys contended that Hibbitt had been denied due process in that Recorder's Court Judge Richard Maher did not allow them to properly defend their client.

Cockrel was ordered by Presiding Judge Robert E. DeMascio to show cause why he should not be held in contempt of court. He had angrily denounced Maher as "this honky dog" and a "racist pirate" following the Hibbitt examination. A special prosecutor was imported to try the case before Judge Robert Colombo.

Defense lawyers were dissatisfied with Gillis too. "We haven't been getting justice in this court," said Henry. "At every turn we see the prosecution just trying to cut us off." Ravitz said he was "seriously entertaining" filing a grievance against Gillis with the new state Judicial Tenure Commission.

Gillis turned down a prosecution request to raise Fuller's bond to \$50,000 the same bond Maher set on Hibbitt. Instead, Gillis continued Fuller's \$1500 bond, noting that he was an employed, married man, who had made no attempt to evade prosecution.

(Hibbitt is also gainfully employed and had surrendered himself to police six hours after a warrant was issued for his arrest.)

The man charged with first-degree murder in the shooting of Czapski, Rafael Viera, is still in New York City. Extradition proceedings have begun, and he is in the custody of authorities in New York. He lives and works in the city.

In other developments, Recorder's Court Judge W. Crockett won the backing of New Detroit Inc. for his handling of arraignment procedures in the early morning hours of March 30. Police arrested 142 persons after storming their way into New Bethel looking for, they say, the officers' assailants who, police claim, had fled into the church.

Crockett released 25 persons, ten of whom police wanted held because they had allegedly shown up positive on nitrate tests. In a report on the New Bethel Incident, New Detroit concluded Crockett had acted properly.

Police Commissioner Johannes F. Spreen, meanwhile, edited a Law Day address to the Economic Club of Detroit, to remove a paragraph he said was "offensive."

The omitted paragraph read: "Can this city stand another case like the New Bethel Church. I doubt it. I don't think the Police Department can take another one like that."

To underscore Spreen's deleted remarks, the Detroit Police Officers Association (DPOA) filed a formal complaint with the Judicial Tenure Commission, seeking to have Crockett removed from the bench. The DPOA maintains police had probable cause to arrest all 142 persons on suspicion of committing a crime, and the right to gather evidence by administering nitrate tests without allowing the persons the benefit of defense counsel.

DPOA President Carl Parsell says Crockett "is also guilty of wrongfully accusing the Wayne County prosecuting attorney and the Detroit Police Department of racism."

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