

New Bethel Eye Witness

Chris Singer

Exclusive to the Fifth Estate

An eye-witness to the New Bethel Incident has given the *Fifth Estate* an account of the shootings that contradicts both official police versions, and testimony of prosecution witnesses in two court cases.

Max Hardeman, a legal researcher on the staff of Neighborhood Legal Services (NLS), told this newspaper that he and his wife, Cynthia, saw the fatal shooting of Patrolman Michael J. Czapski on the night of March 29, outside the New Bethel Baptist Church.

Hardeman, an expert in landlord-tenant law for NLS, and a graduate of Wayne State University law school, along with his wife, had attended the first anniversary meeting of the Republic of New Africa (RNA), which was held at New Bethel that night. The RNA is a black-nationalist "country" seeking acquisition of five Southern states for the creation of a new, all-black nation.

Hardeman and his wife, who are not RNA members, were among the first to leave the church at the conclusion of the meeting, he said.

"We had just crossed Linwood going west on Philadelphia," he said, "going toward Dexter to catch a taxi home." The church is on Linwood between Philadelphia and Euclid. The front entrance is on Philadelphia.

After crossing Linwood, Hardeman said he heard a shot from a light calibre firearm. He was asked how he could tell that it was a light calibre gun.

"I've been in the military," he replied, "I've had some experience with firearms." He added that the report from the firearm sounded like a handgun, rather than a long gun.

He said he turned around and saw a marked, black Detroit Police Car parked on Linwood about 100 feet south of Philadelphia. Hardeman said he observed one officer standing on the sidewalk and one other officer crouched at the right-rear of the police car.

"He seemed to be using the police car as cover," Hardeman said.

"I observed a man in uniform, carrying what looked like a carbine, who was Negro, black," Hardeman said. He added that the "man in uniform" who was on the sidewalk appeared to be wearing the uniform of the Black Legion, the army of the RNA.

"The person in uniform fired at the cop," Hardeman said, "and the cop's hands went to his stomach and he went down." He said he saw no weapon in the hands of the officer who was shot by the "man in uniform."

"I kept looking, but no weapon fell from his hand as he fell," he said.

Official police reports have claimed that Czapski and his partner Patrolman Richard E. Worobec, stopped their patrol car to investigate "10 or 12 Negro males with guns" alleged to be Black Legionnaires.

Hardeman was emphatic in denying that claim.

"There were only these three on that side of the street," he said.

Two Detroit men, Clarence J. Fuller and Alfred Hibbitt, have been charged with assault with intent to murder in the wounding of Worobec. A New York man, Rafael Viera, has been charged with first-degree murder in the fatal shooting of Czapski.

Hardeman said the “man in Uniform” never pointed his gun at the officer crouched next to the car. “He didn’t seem to know of him,” Hardeman said.

He said the officer near the car “ran in a squatting position, duck-walked” to the door of the patrol car. The door to the car had never been shut, Hardeman observed, because “the light (inside the car) just stayed on, it didn’t come on.” Hardeman observed something in the hand of this officer, but said that he could never make out what it was.

A prosecution witness in the pre-trial examination of Fuller testified that he had been driving north on Linwood and had stopped his car alongside the police car for a red light. Purvis Bruce, a Royal Oak grocer, said he then saw Fuller raise a carbine to his shoulder and fire at Worobec.

Hardeman denied seeing any car pull alongside of the police car, and said that the police car was stopped some distance from the intersection.

He did note, however, a passing car that temporarily blocked his view of the patrol car. He realized what kind of car had blocked his view when his wife exclaimed: “Hey—there goes a police car—and it didn’t even stop.”

He said he watched the officer radio for help then crawl into the car and crouch on the floor. The “man in uniform stood with his gun, kind of waiting, kind of observing,” he said.

The patrol car sped off “as fast as a car can go, you know,” Hardeman said, and crashed into a cleaners across the street. “My general impression is,” Hardeman said, “is that the man in uniform drifted down toward the police car.”

This contradicts the police version that the assailant entered the church after the shooting.

He said no shots were fired at the careening patrol car, again a statement that conflicts with police accounts.

Hardeman and his wife both fell to the ground when they heard the first shot. They got up and began to leave the area.

“I knew that if I stayed around my wife and I would be killed or at least beaten by the cops,” he-explained.

“As we proceeded toward Dexter, we heard more shots; I heard other exchanges of small calibre gunfire,” he said. Hardeman said it sounded like “more than one gun was being fired.”

A prosecution witness against Hibbitt, David Brown Jr., had testified that he saw Hibbitt shoot at Worobec from the sidewalk after the patrol car had first stopped. Brown claimed to identify Hibbitt from a Polaroid snapshot taken of him by police.

Police arrested 142 persons inside the church after filling it with gunfire and storming it. Police maintain the assailants of the two officers went back into the church.

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