

Detroit cops sued for allegedly violating men

BY DIANE BUKOWSKI -SPECIAL TO FINAL CALL- | LAST UPDATED: AUG 21, 2009 - 12:42:36 PM

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DETROIT (FinalCall.com) - Eleven Black men have sued two White Detroit police officers they claim raped them in public, performing forced anal cavity searches. Several say officers Michael Osman and Michael Parish also fondled their genitals, and one says his 15-year-old daughter was forced to watch.

Testimony before the Detroit City Council, legal documents, and media interviews have identified a total of 20 alleged victims by name. Witnesses from the far southwest side neighborhood where the incidents allegedly took place in 2006 say the officers victimized many more, before a series of stories broken by the Black-owned Michigan Citizen exposed the scandal.

"If what we have been told is true, this harkens back to a time when human beings of African descent were regarded as though they had no rights the White man was bound to respect," said attorney Mark Fancher of the Michigan chapter of the American Civil Liberties Union (ACLU).

"They were stripped, examined, bought and sold, and this was legitimate in the eyes of the law. These officers regarded these men as objects to be searched, hoping it would lead to busts and advance their careers. In a clear case of racial profiling, they presumed that all Black men they encountered were drug couriers or dealers."

The ACLU settled a suit for one man, Elvis Ware, an army veteran, in January. The settlement included a pledge by the Detroit Police Department (DPD) that all officers would be instructed to obtain a court order for such searches, which must be performed by medical personnel, as required by state law.

Judges threw out criminal charges against four of the men after testimony about the searches. But in two cases, higher courts reinstated the charges on appeal.

Meanwhile, the DPD, the Wayne County Prosecutor, and the U.S. Justice Department have refused to file criminal charges against the officers. The DPD promoted Mr. Osman to sergeant in 2007, claiming all three agencies exonerated the duo after investigations.

In a federal suit filed in April, Marcon Green and Harold McKinney say they were victimized as Mr. McKinney's 15-year-old daughter Asia was forced to watch, in May, 2006. The officers said they stopped Mr. Green's car because Mr. McKinney wasn't wearing a seat belt. In other cases, the cops used "dangling ornaments," "a strong odor of marijuana," and cracked windshields as pretexts for traffic stops.

The suit, filed by the firm of Posner, Posner and Posner, says Off. Osman "pulled (Mr. Green's) pants and underwear away from his body, spread the plaintiff's buttock cheeks ... inserted a finger into plaintiff's anus ... and rubbed his hand up and down over plaintiff's genitals a number of times, and then grabbed, squeezed and fondled plaintiff's testicles a number of times."

It says Off. Parish repeatedly rubbed around Mr. McKinney's anus and fondled his genitals. The suit asks for \$1 million for each plaintiff.



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Civil Liberties Union

Melvin Akins, a barber, was walking from his aunt's group home in January, 2006, after cutting a resident's hair when he was stopped, according to another federal suit filed by the Posner firm, which asks for \$2 million.

The suit alleges that Off. Osman "with a bare hand, grabbed and pulled plaintiff's genitals/testicles, grabbed plaintiff's buttocks, spread the plaintiffs' buttock cheeks and then inserted a finger into plaintiff's anus."

Terence Hopkins, 28, will likely be the first to go to trial against officers Osman and Parish on Sept. 28, because the city has refused to settle his suit, which was filed in 2007. Mr. Hopkins said in a deposition, "(Mr. Osman) pulled my pants down, underwear and pants together, pulled them down. He had his hand on my butt, fingers on my rectum. Swipe. He pulled my pants back up."

Wayne County Circuit Court Judge Michael Sapala ordered in May that Mr. Ware and another man whose case was settled, Marcus Wrack, can testify during the Hopkins' court hearing "regarding improper sexual conduct that they allege occurred to them by Officers Parish and Osman during a traffic stop."

Al Bryant owns Bryant Brothers Collision on South Schaefer Highway, next to the site where Byron Ogletree was allegedly beaten and searched by the officers in May of 2006. His case ignited the rape scandal, after a near community uprising by dozens of witnesses.

Mr. Bryant hosted a picnic/rally two months later, for victims, advocates and attorneys to plan a fightback.

"It's become normal procedure for these racist cops," Mr. Bryant told this reporter at the time. "I've seen it at least five or six times in front of my shop. Once they stopped a car and blocked my gate for 45 minutes. They had a guy up against a fence, pulling his pants down and reaching their hands in there."

Silvano Black, an alleged victim, said at the rally, "They don't stop people for a reason, they just stop you because you might be a young, Black guy with a bandanna, especially if they already know you. They've harassed me and many of my friends."

The city of Detroit and the FBI allege the claims against Mr. Osman and Mr. Parish were concocted at the rally. But attorney Zachary Posner, whose firm took the cases of 15 men, said, "Their stories are very detailed, regarding how they were stopped and searched and by which officers. Collusion among them is virtually impossible."

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