NIGHTMARE In Oakland

ANOTHER CASE
OF POLICE
BRUTALITY

EDITOR'S NOTE: The following are eye-witness accounts of what happened in the home of Luther Smith and his family, 1011 Campbell street, West Oakland, early in the morning of Friday, April 8. The story these witnesses tell is one of police brutality. It is the story of how two Vice Control officers broke into the basement of the Smith house because they had seen two white boys leave and re-enter that basement and because the basement was in an all black neighborhood and next to a house where acts of prostitution (according to the police) have taken place.

It is the story of how these Vice control officers then collected some 25 uniformed Oakland police to "subdue" the three male members of the Smith household and bring them under arrest for defending themselves against the police. It is the story of how the Smiths, bewildered by what was happening to them, had nowhere or no one to turn to for help.

The Oakland police department charges Mr. Luther Smith Senior with having interfered with a police officer in the performance of his duty. It charges Luther Smith Jr. and Alonzo Smith with having committed a battery against a police officer. It charges the two white boys with loitering under suspicious circumstances, refusing to give identification and resisting arrest.

The Oakland Police department has refused to release to the defendants a copy of the crime report written up after the arrests were made. FLATLANDS therefore cannot offer its readers the Police Department's side of the case.

What happened to the Smiths might never have come to the attention of the community had it not been for the quick action taken by Mr. Curtis Baker after Mr. Smith, without lawyer, doctor or funds for his son's bail, called him for help. Now, however, the Smith case may well be the rallying point for a new and united drive by the people of the flatlands to expose any prejudicial and brutal methods employed within the Oakland police force and to set up definite safeguards against their continued use.

LUTHER SMITH'S STORY

Mr. Luther Smith Senior, resident of 1011 Campbell street for the past 23 years:

"I came home from work Thursday, (April 7) about eight o'clock. I work at Todd's shipyard. So I was kinda tired. I didn't even take a bath. I got up there on the bed and laid down. Then about nine I got into bed and I didn't wake up no more until it seemed like it were in a dream and I hear my wife call me. I jumped out of the bed and started downstairs. "Wait a minute and get your pants," my wife told me. I slipped my pants on and didn't have no shoes. I could hear Lonny calling "Daddy, Daddy." Lonny and his two white friends had been in the basement. That's where we got this neighborhood recreation center with a pool table, some weight lifts, and a record player. I ran out of the house and to the basement door. I seen one man punching my son.

"Luther Junior - he was in the basement begging the men to get up cause Lonny wasn't doin' nothin'. Luther had been upstairs in bed. When he heard the hollering he want down the back stairs right into the basement. He beat me downstairs.

"They had Lonny down on the concrete steps by the basement door. The door was wide open. One of them was laying right down on him choking him. The other one was beating on his head. He didn't have no billy club. He was hitting him with his fist. I felt like picking up something and busting their brains out. But I didn't have no wind.

"Lonny had just got his income tax return check. When I seed those two men I first thought somebody was trying to rob him."

Continued on Page 6
MRS. LUTHER SMITH

This was what I first heard starting from the beginning. There was a knocking on the basement door. I heard Loney say, "Who are you?" I didn't know then what was happening. "Do you have a search warrant?" was the next question the officer asked. Then he said, "Get out!" The next thing I knew I was being dragged down the steps. I was just about to be put in the trunk of Langley’s car when he was shot. I was being chased and I had nowhere to go. I didn’t see him come here before the lawyers were here.

WILL POLICE GIVE JUSTICE?

"What I feel now is love if they get justice they won’t be charged with anything. I don’t know what will happen. Maybe the police department won’t give them any charges because they supposed to just bust you in your door without showing anything. In come dressed like your husband and don’t show no badge or information about that. I don’t know if they supposed to know who he is? A police officer isn’t supposed to try to kill anybody just because they are arresting them. He had the help of two men here lifting weights in the basement. If a person can’t do this at home without the police coming in, what can be done? After my child was got married, he say I’m出去 starting making preparation for bail. It was supposed to be an hour before they booked him.

In the police station I called my husband. Then I went to my husband’s brother. There I was still no bookings report. Then we came home, Glen was still up. This was about the morning. After that I just sat there waiting for them to call. The first call was at 6 from Luther Junior. He told Van (this wife) to get him a lawyer. About 9:30 Luther Senior called, He say I’m sick as I can be, he said to bring his pills down here. He’s a diabetic. Then I called to the police. I asked could I bring the pills in. The man told me “We have medication here.” Then I explained that Mr. Smith was a diabetic, and had to have pills every day. Anything can happen if he doesn’t have those pills. I found out that man don’t give my husband the pills until 9:30 Friday when he got out of jail.

"I got in touch with the bail man around 7:30 Friday night when the booking was finally done. He told me Alonzo’s bail was posted from being out in the street. $11,000 and Luther Senior’s was $820.

"Somebody morning my husband called Mr. Baker. He say I know Curtis, I know he was good. We felt like maybe Curtis could get the bail cut down. It was long after 6 before he comes here before the lawyers were here.

MRS. SMITH AND ALONZO SMITH

The Flatlands, April 23 to May 6, 1966

Page 6

Mr. Smith: “One of them just pulled my arms back... He tried to hurt me.”

POLICE BRUTALITY

Continued from Page 1

“Someone shot me and I don’t know who.”

MRS. SMITH JR.

going to teach my brothers to stay out of trouble - get them doing something. That’s why he got them all things in the basement.

“If the police carry on like they done, I don’t want to live here no more. Where they can come in and beat my family - want to get out of Oakland. I’ve been living in Oakland for 24 years and I has been a tax payer for 22 years and I never seen nothing like before this, I has raised in this city and never seen any brutality like that there. Now I don’t have no chance to tell nobody what’s happened.”

YOU CAN HELP

The Smith family needs help!

First it needs money to help pay the lawyers and the doctors. It needs money too because Mr. Smith Senior has lost his job since he was arrested. Second, it needs the support and encouragement of the Flatlanders people and their friends to continue their fight to expose and end the existence of police brutality in Oakland.

Any concerned person can send money to Mr. Smith c/o THE FLATLANDS (935 13th Street, Oakland, Calif.) and call any member of the Editorial Board or staff for additional information about the case. Please make checks payable to Mr. Luther Smith Senior.
THE ALARMING FACT about the Luther Smith case (see story on page 1) is that, like so many incidents in the flatlands in which the poor are brutally mistreated, it could have gone by unnoticed. The Oakland power structure would continue to whitewash the charges made against it by the flatlands people. The charges themselves would look like so many empty words. And the nightmare suffered by the Smith family would be relived behind closed doors and in the dark alleys of Oakland’s ghettos of the poor.

Had the beatings in the Smith home occurred earlier in the evening, when more people were around to see what was going on, West Oakland may well have become the scene of an ugly riot, if not of a second Watts. In fact, the Smiths had little protection against the arm of the law besides the anger of their neighbors. They certainly couldn’t call the Police Department for help.

The Smith’s plight emphasizes the long felt and now urgent need in Oakland for an agency which could protect people from unjust practices committed by police. Such an agency, composed of civilians, would hear, record and investigate complaints involving the Police Department. It would ensure flatlands people the same treatment from police as the hill people now receive. This is because it would provide as equally effective and legitimate a means of fighting back as a good bank account provides the people in the hills.

Much of the power of such an agency would also lie in its ability to inform the community at large of cases of brutality as soon as they occur. People sacrifice a lot for the sake of unity once they realize they are not alone in their problems and that these problems cannot be solved individually until they are solved for the community as a whole. An agency dealing with police affairs would help them see their own problem with police as part of a general pattern. It would give them the organization through which they could help each other out until this pattern was destroyed.

The Smith case should provide the spearhead for the effort to push through the establishment of such an agency in Oakland. This effort began several months ago when a group of flatlands people proposed to the City Council that a Police Review Board be set up. The City Council rejected this proposal without so much as even discussing what the function of that board might be. That it would have benefitted them as well as the flatlands — specifically, by making sure that rumors of police brutality were documented — was ignored.

A similar proposal, only one which looks to the formation of a Police Affairs Committee rather than a Police Review Board, is now being submitted by the Oakland Economic Development Council to the Office of Economic Opportunity (which heads the War on Poverty) in Washington.

A Police Affairs Committee differs from a Review Board in that its function is to receive, investigate and communicate complaints against the police. It does not have the power to enforce any decision reached on the basis of its findings.

It looks right now as if, even if War on Poverty funds are granted to set up this Committee, the City Council will still veto their application. People of the flatlands, through whatever grass roots organizations they belong to must give this issue their immediate attention and pressure (by protest letters, petitions, speeches, etc.) the City Council and the Police Department to make sure these funds go through.

There is no better proof of the need for such pressure from flatlands as the Smith case. There is, then, no better time for such action than now.