M.C. Friday non SouthEast Interdenominimational Vernon Subserver " " " Vernon Sukrimin a letter sent out to churches & organizations send letters from us Chist Church of San Diego 3060 Syth Street & Redword 7 PM Wed 12 July a minimum of 300 Tylone Thomas - murder new genisis info of our organization 3-5 MM per speaker need for community to come together discussion and tie-up Chief Kolander wrote letter 2 weeks before a new Grand pury enpaneled? Policy & Planning Commission pury enpaneled 19 fully all day agenda sity. have onked for special meeting formulate a policy to investigate citizen death by police officer by police officer Churry has asked Churry to play

(horis 1) Togetherness

a spiritual gathering 2) Thomas matter

celebratury au coming together only!

case points to need to come

together

17 people from Christ the King

a collection, proceeds, an offense fund for

*ville to mesent * *will be present * Thomas Family

avil attorney

- question of SCAR going to family - flyer by Friday - collection at meeting news conference - Monday or Tuesday with organization heads gun policy And has speken to both witnesses supposedly a secret meeting media there, and claims police tipped press Rodney not polygraphed at Ard's regnest police contacted and concerning poly Christenson and agrirre L.A. Times -> Tell them what we have done, what we plan to do ask pr support = to do information Tyrone Thomas - official reports Christianson has violated policy = Farand fury investigation * * formulate policy * Christianson should be # mapended during a cover-up investigation (MAACP -> national legal fund go to Justice Department in contact with U.S. attorney Walsh needs to see intent

an enactment of Kolendar's report 7 TT rumning an enactment of witnesses report 7 ""
witnesses didnot. In enactment of winesses report 7 "Don't Make Me

→ witnesses did not see pring to mo club killyn

→ and feels the shooting was accordental to I under

control he had no club White cadillac divier unknown -> TT at the time was not known to be a felow assumption not to be made that a fleeny individual is a felow - need for justice = present the facts - not an isolated incident what we feel should be done will will Black sailor July 10011 - news conference
July 12 - gathering of community

Leon Williams will not speak

wie be there security - World Erm. of Islam in the West transportation NIA - Greg (PR) 10 PM Tuesday Black Federation leaflet distribution > phone calls < -> news conference + 3 dramatic presentation & *contact Brown Berets *

large barrel in proper on July 12

dump your ego in here

news release = announcement

prepared statement at news conference
put it on wire services AP, UPI
nadio run info about rally

Alade of all organizations that on waliting
will be at press conference

Koemu Self. Sekermin Ation 263-8161 Federation Maria 479-9032 Home 263-2153 WIA

A Gathering of the Community ... sounds good to me but unfortunately more specifically - POLICE BRUTALITY
probably and the first time for you sho' neiff ain't the first time for me I hope this gothering will allow ideas to surface ideas of humanizing spower to the people ideas of love ideas for building a caring society. Creative ideas capable of countering the hand cruleties of racism like a skillful principlishter slipping and sliding underneath thunderous brows? This gathering of the community jurotanalque. to the powers that be musdin' with and own minorities ¿ in the land of opportunity?? I hope we wentually receive answers to loving people? The human respect deserved by soulful, When are the, The BLACK The BROWN THE RED The YELLOW THE LONG-HAIRED THE DIFFERENT members of our society to be accepted as non-adversaries in this land of the free? e . Cruest Charles Mª Cray

7/11/77

1 of 2

ADMINISTRATION

NO. 1.6

ALL SWORN PERSONNEL

FIREARMS POLICY

PAGE:

This Department Instruction supersedes Instruction 1.6 dated August 3, 1976.

DATE:

I. PURPOSE

To establish Department policy on the use of firearms.

II. GENERAL

Contemporary society, the legislature, the judiciary, and the Department place a greater value on the preservation of life than on the apprehension of criminal offenders. For this reason, the Department considers firearms to be defensive weapons, to be used only when necessary to protect human life or in the rare situations to apprehend fleeing feloms.

The use of a firearm is in all probability the most serious act a law enforcement officer will engage in. It is, therefore, imperative that he act not only within the boundaries of legal guidelines, good judgment and accepted practice, but that he also be prepared by training, leadership, and direction to act wisely whenever use of a firearm is necessary in the course of his duties.

III. POLICY

- A. It is the policy of the San Diego Police Department that officers shall use a firearm only as a last resort when it reasonably appears necessary:
 - To protect themselves from death or serious bodily injury, or;
 - 2) To protect another officer or any other person from death or serious bodily injury, or;
 - 3) To apprehend a fleeing felon believed to be armed with a deadly weapon for a felony involving great bodily injury or the threat of great bodily injury.
- B. A firearm should be drawn or displayed only under one of the above conditions or under circumstances that are recognizable by the officer as being potentially dangerous.

N

E

W

C. Guidelines in Specific Situations:

1) Warning or Attention Shots

- a. Shots fired into the air or ground in an attempt to cause a fleeing suspect to stop or surrender present a danger to the officer and irnocent persons, and are prohibited.
- b. In extremely rare and extraordinary situations where the safety of the officer or another person is involved, the firing of a warning or attention shot may be permissible. Example: An officer, or innocent person(s) or prisoner(s) are threatened with attack by persons engaged in a riot. As a last resort, the firing of a warning shot may be permissible in an attempt to stop the threatened attack.

2) Moving Vehicles

Firing at or from moving vehicles is generally prohibited. Experience shows that such action is rarely effective and is extremely hazardous to innocent persons. Only in extremely rare and extraordinary situations is such action justified.

D. Procedures for reporting incidents involving the discharge of firearms are contained in Department Instruction 1.7.



SOUTHEAST INTERDENOMINATIONAL MINISTERIAL ALLIANCE

3032 53rd STREET • SAN DIEGO, CALIFORNIA 92105 Telephones: (714) 264-7240. . .264-8880. . .231-7901

July 5, 1978

Rev. Robert Ard President

Rev. James Allison Vice President

Sr. Agatha Faimon Recording Secretary

Rev. Homer Pacely
Assistant Recording Secretary

Rev. Willie Manley Treasurer

MEMBERS:

Rev. Junious Blake Rev. Casper I. Glenn Mr. Pierre Victor Gousse Dr. Charles Hampton Rev. Eugene Harvey Eman Mahir K. Hasan Chaplain Robert Heath Rev. Amos Johnson, Jr. Dr. William E. Johnson Rev. Roy Landers Rev. Erwin L. Lueker Mr. Cleo Malone Rev John McCullough Dr. George McKinney Mr. Thomas H. McPhatter Dr. Offutt T. McWilliams Rev. Grandison M. Phelps, Jr. Rev. George Walker Smith Rev. George Stevens Rev. Robert Taheny Rev. Cleveland S. Thornhill II Mr. Wade Vaughn Dr. Edward P. Williams Chaplian Meretle H. Wilson

Dear Brothers and Sisters,

I, as President of the Southeast Interdenominational Ministerial Alliance, have been requested by NIA Cultural Organization, Black Federation, NAACP, The Association of Black Attorneys and others to form a coalition of the Alliance and other community organizations for the purpose of coordinating our collective efforts in our pursuit of justice in the murder of Tyrone Thomas.

In response to this request I am requesting all community Pastors and leaders of community organizations who will accept and support this purpose to a "Gathering of the Community" on Wednesday, July 12, 1978 at 7:00 p.m. at Christ Church of San Diego, located at 3060 54th Street (54th and Redwood).

This will be a new genesis for us in progress through cooperative efforts as we move together not only for justice in this instance matter, but for the well-being of our entire community.

I encourage each of you to tell others of this "gathering" and bring them with you as we began the metamorphosis from "existing" to "living".

We need each other, for there is no one else to fill our needs and heal our hurts----but us.

Harambee!

RCA/ddg

moderator Greg Airili

ABA - Joe Davis

speakers

a right to go to trail TT can not get justice he is dead "the most we can hope for is justice for the hillers of Tyrone Thomas"

even if killed accidentally involuntary manslaughten murder with malice aforethought

"some evidence that due coutin and circumspection was not used"

ABA has sent a letter to State attorney general to open an investigation

first vice-president of NAACP — who called on Mr & Mrs Thomas present regional council letter response series of steps before going to Justice Papt. FBI Council — some action Charles of Police outside, independent investigating agency

working together a goal - bigger than own agenda if we tried to initiate people in issues bigger than the individual organizations it would be better

we should not let our organizations become personalized, individually

"a perceived public mood is that enough has been done without infringing on constitutional rights of whites"

media language - reverse discrimination forced bussing

African Liberation Solidarity Committee Support

"Frank Christianson should be on trail for murder"

Leon Williams

"if you don't survive as a group pretty soon all the individuals are gone" not talking about not having a police dept. talking about peace officers acting like storm troopers

you wouldn't kit a man with a loaded weapon not unless you don't care if you kill them

26 July ZPM RM2000 of City Admin Building

investigation by city council on how police act on street use fire arms

Msemaji

MalcolmX

we have a responsibility to defend ourselves when we get called to arms to fight someone we've never seen we go we even volunteer

its wrong no to defend ourselves and our children

we have a responsibility a civic responsibility our lives are at stake

we as adults have a responsibility to

in san Diego

A a live enactment of Chief Kolender's report

B an eye-witness report Rodney

descrepency in the two reports

A

B

billy club "don't make me kill
you"

I'm Mr. Tyrone Thomas father

"For awhile I felt alone
I feel good to see my brothers
and sisters"

left in tears

Thomas Offense Fund Musuum Rev. McFadden a class-action suite against the city of San Diego what weapon do we have the white man's quilt genoride of black plks and other people

H. Baca

the manner in which these murders are investigated

"Jesse James investigating the bank robbers"

Grand Jury - not one person of Mexican-ancestry

the victim was made a criminal

"justice to white power structure of this country justice means just us "

we have to get mad

nobody can give us justice we have to fight for it

Vernon Sukumi

a new era
similar to KKK during reconstruction

police involved with status quo

even the Boston Strangler got a trial
police have a history

comparison worse - extremely harsh

- Islam - metamorphosis
very simple rap
everyday's a crisis
where dealing with humanity

And the change - metamorphosis
\$183.96 loss than an employment check
existing
we too tired

coalition addresses itself to housing? "People among us whose primary
purpose is to keep us disorganized" Offense fund can't even get a brief typed up Talk about bruging fed mark and lig bear Somebody ought to do something an easy matter the DA

- Drand Jury investigation - suspension of Christianson - City bounil a policy of investigating all cityen deathrs

- 115 b. t. Dent. - U.S. Justie Dept. investigite violation of civil sights support businesses within our community on economic base Thomas - a vet of WWII & Vietnam worked with Little League

call upon employer Christianen har vrolated gun F puramit poling Christianson got Transforred Police don't think a good iden for cops to take a polygraph test people who misuse you and misrepresent you stop supporting them who owns most of

genisis, beginning those who stand will be there when the change comes

Frem mention of Thomas Family

Me, the People

Q. '

Thomas Offense Pund

REV. ROBERT C. ARD

Werld Government of Islam in the West, Masjid Muharm

Gev. Hobert C. Ard, Englosmeron Conlition for Freedom of Jastles (Thomas Patter)

This is not a raily, but the beginning of a stribust, pay cloudeal, socialorical and economic notation before a constitution of cour descentify by our constitution of constitutions.

n for Freedom and Austrac robless with collective Fronts" Hr. Greg Akall cons, Il Cultural Organization Harrick Herbist Her. James Allison dell'er, Bertist Misser Writer of La

3060 54th Street, San Diego, California
Office Telephone 264-7240

GATHERING OF THE COMMUNITY

Sponsored by

The Coalition for Freedom and Justice "Solving collective Problems with collective Efforts"

PROGRAM

MUSIC

Various artists of our community

Statement of Purpose Mr. Greg Akili Vice Chairman, NIA Cultural Organization

Prayer and Remarks Rev. James Allison
President, Baptist Ministers Union of San Diego

Information and Inspiration

Mr. Jee Davis
President, Association of Black Atterneys

Mr. Tom Johnson First Vice President, NAACP, San Diege

Mr. Ike Merris
National Coalition to Support African Liberation

Ms. Shay Green Chairperson, People for Better Feeds and Services

> Mr. Ken Msemaji Chairman, NIA Cultural Organization

Presentation of Police Report

Presentation of Thomas Family

Thomas Offense Fund

We, the People

Mr. Herman Baca Chairman, Committee on Chicano Rights

Mr. Vernon Sukumu Executive Director, Black Federation

Eman, Daniel Adnam World Community of Islam in the West, Masjid Muhammad #8

Rev. Robert C. Ard, Spokesperson Coalition for Freedom & Justice (Thomas Matter)

This is not a rally, but the beginning of a spiritual, psychological, socialogical and economic metamorphosis of our community, by our community and for our community.

GATHERING of the COMMUNITY

7:00 p.m. WEDNESDAY, JULY 12, 1978 CHRIST CHURCH OF SAN DIEGO 3060 54th St. (corner of 54th & Redwood)



COME HEAR THE FACTS

SPONSORED BY THE COALITION FOR JUSTICE

AFRICAN LIBERATION SUPPORT/ ASSOCIATION OF BLACK ATTORNEYS/ BLACK FEDERATION /COMMITTEE ON CHICANO RIGHTS/ NAACP/ NIA CULTURAL ORGANIZATION/ SOUTHEAST INTERDENOMINATIONAL MINISTERIAL ALLIANCE/ WORLD COMMUNITY OF ISLAM IN THE WEST MASJID MUHAMMAD NO. 8 / PEOPLE FOR BETTER FOODS AND SERVICES

VOL. 1, ISSUE 29

SAN DIEGO'S ONLY PROGRESSIVE NEWSWEEKLY

'Why'd you shoot?'he asked

by David Helvarg

ames Graham, a 23 year old black sailor AWOL from his ship, had just walked from the laundry room of his apartment complex on Montalvo Street in Ocean Beach to the front door of the apartment he shared with his wife and six month old child when he was approached by two San Diego policemen.

They told him to stop where he was. He told them he didn't have to, turned and ran. Lawrence Simmons, 32, a 12 year veteran of the force and his partner Edward Kunold, having reportedly decided Graham must be a burglar, took off after him. -

Graham began yelling for help. Whether Simmons gave Graham a second order to halt is a matter of contention. What is agreed on is that Simmons drew his service revolver and fired a hitting the sailor in the back. The 38 caliber slug entered Graham's back, puncturing a lung, causing it to collapse and injuring the liver. Had it hit three inches to the side he would have been killed or permanantly paralysed.

For his action on the afternoon of April 6 Simmons last week received a 30 day suspension without pay from the San Diego Police Department. According to police spokesman Bill Robinson, Simmons was found to have violated department firearms policy which requires that; "deadly force not be used

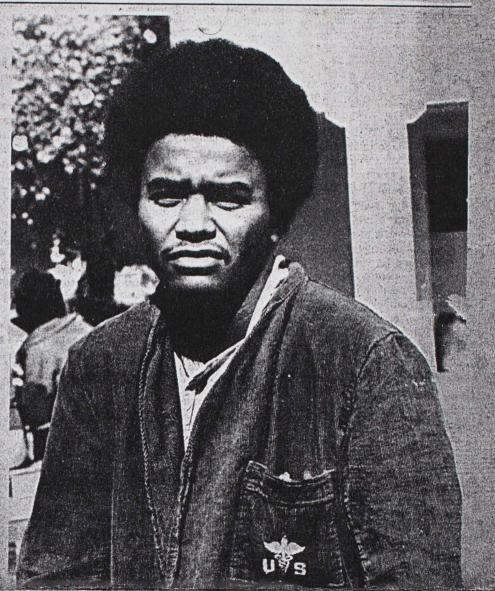
unless a person is armed or poses a threat of bodily harm or injury to the officer or others."

According to Police Chief Bill Kolender, Simmons, whose "record reflects no similar conduct and contains numerous commendations" will be returned to duty May 28 to continue work with the School Task Force, the assignment on which he was working at the time of the shooting. Simmons himself was not available for comment.

Earlier, on April 12, D.A. Ed Miller had issued a decision stating that Officer Simmons has committed "no prosecutable offense."

"I'm very pissed off about the way this whole thing's been handled," James Graham told the NEWSLINE from his ward at the Balboa Navy Hospital. "The officer hasn't even called to apologize. The police haven't apologized. Instead they've gone around to my neighbors asking them about my character and investigating what kind of a person I am. Why don't they ask Simmons' neighbors about his character?"

Graham has retained the services of a lawyer and begun considering the possibility of a civil action against the police. "A lot of what I know to be the facts in this case have not come out and I want them to come out," he says. "Like the D.A. claims the officer shot me from 25 to 30 feet behind but I think I can away from me. You know he didn't



Shooting victim James Graham

Photographed by Larry Jorgensen

have to shoot me anyway. I was running blind, just sort of in a panic. After I went over this low wall I found myself running into a clump of bushes. I could not have gone anywhere from there."

Asked if he thought there were racial overtones to his shooting Graham hesitated a moment. "You know I didn't want to make a thing of it, but really prove he was no more than 15 feet yes, I do think discrimination played a part in this. I mean there was no burglary

reported at my apartment so why did he assume I was breaking into the place? I think it's because I'm black and the neighborhood is white.

"After he shot me and came up behind me I thought he was going to shoot me again. I'm glad a lot of my neighbors had heard me yelling and come outside, I'm glad for those witnesses. 'Why'd you shoot me' I asked him. 'You shouldn't have run,' he said if

SHOOTING DEATH

Continued from First Page

Huffman and chief investigator Wayne Burgess, former head of the city crime laboratory, studied the police case file to reach the conclusions, he said. The only applicable charge was involuntary manslaughter, he said, and that required gross negligence on Christensen's part.

Huffman explained the shooting circumstances this way:

Christensen was pursuing a car in which Thomas was hitching a ride. When the car stopped and Thomas fled, police pursued and found Thomas hiding beneath a clump of bushes.

At this point, Christensen drew his revolver, and with his

nightstick in his left hand, ordered Thomas out.

Thomas came toward Christensen, then suddenly turned to run. Christensen grabbed him with his left hand "which was now full of baton (nightstick) and the suspect's shirt," and Thomas pulled away.

Christensen then swung at Thomas's head with his revolver, cutting his scalp with either the barrel or cylinder. As Thomas fell, the gun discharged and Thomas died instantly when the bullet entered the base of his skull at

point-blank range.

Huffman said Christensen was not out of line in drawing his gun because "they had the right to stop him as a possible burglary suspect, and he fled. They had no way of knowing he was unarmed. They had the right to have weapons drawn until they could find out what was happening."

Christensen apparently squeezed off the round by

accident as he swung the revolver, Huffman said.

To be guilty of gross negligence, the officer "would have to be so careless as to be indifferent to what could happen if he fired his weapon, it would involve a willful disregard for the safety of others." Huffman said.

Huffman said the city police rules for display and firing of weapons are both stricter than the state penal code's, but he did not believe the evidence pointed to a violation of the city

code.

But Councilman Williams said the case "contributes remarkably to the widening gap between the citizenry, particularly black citizenry, and the government, in this case the police."

D.A. Won't File Charges on Policeman in Fatal Scuffle

BY ED SYLVESTER
Times Staff Writer

No criminal charges will be filed against the San Diego police officer who killed a 21-year-old burglary suspect during a scuffle May 30, the district attorney's office said Monday.

Chief Deputy District Attorney Richard Huffman said no evidence of gross negligence could be found in the shooting death of Tyrone Earl Thomas as he tried to flee from patrolman Frank G. Christensen.

Under the law, only such gross negligence could have brought a criminal penalty, Huffman said, although civil negligence charges can be brought and administrative action taken against the officer.

Police Chief William B. Kolender said he would comment on the decision today. As for administrative action, Kolender said he would be "free to take almost whatever recourse I wanted."

Thomas' death had prompted a call by City Councilman Leon L. Williams for an investigation into what he said were a series of beatings and shootings of blacks by police in recent months. Of the decision not to bring charges, Williams said Monday, "I'm going to pursue the matter. I don't think the police should be forgiven when their actions end in death. We don't forgive private citizens for such actions. They go to jail for much less."

But Williams said he would press the City Council, rather than the Police

Department, for action.

"Policies have to be established by the City Council to guide the police in how they handle situations like this one. If any other city employe abuses a private citizen on the job, we correct it. That's what we have to do here."

The department already has policies governing the display of weapons by police officers which according to Huffman are "far more stringent than

the state penal code."

Even by city regulations, Huffman said, "it appears to me that the gun was properly drawn. I'm not saying properly discharged, but his drawing the gun was proper under the circumstances."

Please Turn to Page 10, Col. 4

NAACP Asks Probe Of S.D. Shootings...

By MICHAEL D. LOPEZ Staff Writer, The San Diego Union

The NAACP has asked the U.S. Department of Justice to investigate the San Diego Police Department's handling of recent cases involving black suspects shot by white officers, a spokesman said yesterday.

The request, by the National Association for the Advancement of Colored People's Western Regional Office in San Francisco, was initiated by the San Diego chapter in response to the exoneration Tuesday of a local policeman who during a pursuit and struggle killed a burglary suspect May 30.

Officer Frank G. Christensen said his gun fired accidentally when he struck 21-year-old Tyrone Earl Thomas behind the neck with the weapon during a struggle. Thomas was unarmed.

Monday, the district attorney's office cleared Christensen of criminal negligence in the matter. Police Chief William Kolender Tuesday called the shooting, "a tragic accident" and cleared the officer without a reprimand.

"But we're not at all satisfied with police handling of this most recent shooting incident," said Tom Johnson, vice president of the NAACP's local chapter.

"That the officer had his finger on the trigger when he struck the victim is the most serious question, and given all the other technicalities about it being an accident, that question has simply not been answered satisfactorily," Johnson said.

Johnson said a specific timetable of actions to be taken will be announced next week.

"We also feel that this case is big enough and important enough that we should ask our national body for help. We feel we definitely need an independent investigation into the matter." he said.

constituted body. I think that we have nothing to hide and I kind of welcome it."

Meanwhile, reaction in the black community to Christensen's exoneration was swift and angry.

The Rev. Robert C. Ard, pastor of Christ Church of San Diego and president of the Southeast Interdenominational Ministerial Alliance. issued a statement calling for the immediate firing of Christensen.

"His (Kolender's) conclusion, supported by the findings of the district attorney, is but additional evidence of what black people in this country have known for some time. That is rarely do white people do anything to other white people who kill black people," Ard said.

"We have read recently of the

tremendous support Kolender has in the majority and minority communities (but) I will not support him until he takes some effective action within the department that indicates to his personnel that the unjustified killing of black people will not be tolerated," he said.

Ard called the shooting "no isolated matter, but a continuation of a practice which must be stopped." Calling exoneration of Christensen "another glimpse of the racism which permeates this city," he vowed to utilize his influence "to" keep this issue on the conscience of the community until justice is done."

Curtis Moring, president of the Association of Small Businesses, representing 85 businesses in Southeast San Diego, issued a statement calling Kolender's decision a mistake.

"We feel that there is no justification for this kind of conduct from a peace officer who is certified to be especially well-trained ... and selected for duty in a predominantlyminority community when it is well known that such communities require police officers with special skills and sensitivities," the statement read. "The handling of this matter has been odious."

Privately, Moring made stronger statements.

I'm certain that we are dealing with one of the most racist groups of policemen in the country right here in San Diego," he said.

(Continued on B-4, Col. 4)

NAACP Asks Probe Of Suspect Shootings

(Continued from Page B-1) ji, chairman of the Nia Cul- committed by teen-agers. If bandits and murder and bru- should be fired and prosecutracists," he said. "They've ments of police killing black, been there too long with out- brown and other minority dated racial attitudes that people," he said, "and usualcan't be changed just by ly it ends with a ceremonial appointing Kolender as chief slap on the hand, if even of police. The chief can't that. possibly know all that's "Kolender has had a lot of

unanimously last week to not by the Police Departconduct public hearings on ment. That's like having allegations of police miscon- Frank James investigate duct, said Christensen's ex- Jesse James oneration gives the hearings "Our organization believes

overhaul."

action to the matter came more than 50 percent of vio-1 1 1 1 1 1

going on in the streets, and support from within the mithe total department needs nority community in the an investigation, and an past. But from the talk I've been hearing from people City Councilman Leon Wil- lately, that support is seriliams, who moved the coun-ously declining. The Police cil's Public Services and Department needs to be in-Safety Committee to vote vestigated thoroughly, and

added importance. in non-violence as a strate-Perhaps the strongest regy, and we recognize that yesterday from Ken Msema- lent crimes in America are

dle management at the Po- "There is a long history in continues, if the police are ished, I think you're going to that kind or sittle action is this kind of police behavior talize people and not be pun- ed " Msemaji said Until lice Department are this and most police depart- allowed to run around like see many minority youths taken then other police offiretaliate violently. And cers have a license to be as that's a thing we just can't carefree as they can with afford.

"I think Christensen human life."

black or brown or other