

17 OFFICERS ACCUSED OF CITY REIGN OF TERROR - POLICE ARE SUSPECTED OF ROGUE CONDUCT, THREATS AND ASSAULTS

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They dangled one man by his legs from a second-story window.

They threatened to kill a woman if she told anyone about the way they were treating her.

They stepped on the face of another woman with such force, they dislodged a tooth.

Prosecutors say these were not the acts of neighborhood gang members, but of **17** rogue Detroit police **officers** charged in a federal indictment Thursday. The **officers** allegedly stole drugs, firearms and money from suspected drug dealers during a two-year reign of terror on the city's southwest side.

All **17** were indicted on one count of conspiring to violate people's civil rights, which carries a maximum penalty of 10 years in prison and a \$250,000 fine upon conviction. Eight **officers** were charged with additional civil rights violations.

Two **officers** were charged with using a firearm to commit a crime of violence, which carries a mandatory minimum sentence of 7 years in prison. Two were **accused** of possession of a stolen firearm, which carries a maximum penalty of 10 years.

The indictment said the **officers** planted evidence and falsified police reports on several victims, five to 10 of whom may be serving time in prison for crimes they didn't commit. In other cases, the **officers** allegedly let victims go after pocketing money and drugs.

"The conduct that gives rise to the indictment is despicable," U.S. Attorney Jeffrey Collins said at a news conference.

Although the department has been beset with repeated scandals, longtime observers couldn't recall so many **officers** being caught up in a single indictment.

The indictment came a week after the U.S. Justice Department and Detroit Police signed two federal consent decrees to take steps to stop violating the civil rights of people who come into contact with city cops. The decrees were prompted by Free Press reports of fatal shootings of civilians by police, mistreatment of prisoners in lockups and the mass arrests of witnesses in homicide cases.

On Tuesday, the Detroit Police **Officers** Association launched radio ads against Police Chief Jerry Oliver, who Mayor Kwame Kilpatrick hired last year to clean up the department. The union is unhappy with Oliver's methods.

"These **17** indictments today represent yet one more installment on our collective pledge to restore this department to prominence and more importantly to rebuild our credibility and the confidence and respect in the citizens of Detroit," Oliver said.

Other **officers** stepped forward to help in the probe, officials said.

Alleged rights violations

The eight-count indictment said the **officer**, most of whom work for the 3rd (Vernor) and 4th (Fort-Green) precincts, conspired to violate the constitutional rights of several people since April 2000.

It said the **officers** tried to find people they believed were involved in drug trafficking. The **officers** then allegedly broke into the suspects' homes without search warrants to look for drugs. In some cases, they grabbed people off the street, the indictment charged.

If they found drugs, guns or other contraband, they would decide which victims to arrest and then falsify reports to justify taking them in, the indictment said. Sometimes they kept the money, drugs, or guns they seized and let the people go, the indictment said.

When they found too little contraband, they planted drugs, guns or money on their victims, the indictment said. Besides falsifying police reports, they also lied in court, the indictment said.

The indictment listed 21 incidents.

On Feb. 9, 2002, Matthew Zani, Mark Diaz, and other **officers** allegedly held Michael Holt by his legs from a second-story window during an illegal search at a home in the 3700 block of Tillman. It's unclear what prompted the incident. The **officers** also are **accused** of tightening a noose around Holt's neck and threatening to kill him.

The **officers** allegedly falsely arrested another man in the house, James Underwood, for possession of cocaine and marijuana and hit him in the head while he was handcuffed, the indictment said. They later filed false reports claiming Underwood had gone to the front door of the home to buy drugs. It's unclear what happened to both men.

During an illegal search on April 24, 2002, the indictment said, **Officer** William Melendez and five other **officers** forced their way into a home in the 4800 block of Ternes.

Once inside, they beat a man identified as Anthony Perry and subjected him to an illegal body-cavity search, the indictment said. They stepped on the face of a woman identified as Irene Lake, dislodging one of her teeth, prosecutors said. Perry, Lake and Tracy Brown were arrested on bogus drug charges, the indictment said.

In a 2000 incident, Zani allegedly fondled the breasts of a woman. He and Christopher Ruiz then stole \$1,242 of her money, the indictment said.

In another episode, Zani, Diaz and another **officer** took \$2,000 from a man and gave it to children near the Jeffries projects, the government said.

Pair singled out

Officials identified Melendez and Zani as the major offenders. The men allegedly were involved in 11 and nine of the 21 incidents, respectively. Five **officers**, including Nicole Rich, the only female **officer** to be indicted, allegedly were involved in one incident each, prosecutors said.

Melendez, Zani and six other **officers** made brief appearances Thursday in federal court in downtown Detroit. Melendez, Zani and **Officer** Troy Bradley were held overnight pending detention hearings today. Federal prosecutors want them jailed pending trial, saying they pose a danger to the community.

Magistrate Thomas Carlson released most of the others on \$10,000 unsecured bond, prohibited them from having any contact with witnesses and ordered them to surrender their weapons and passports to the FBI.

Carlson ordered Diaz placed under house arrest with an electronic tether.

The **officers** appeared in court in short-sleeve shirts and jeans or Bermuda shorts and had little to say. They were brought in handcuffed. **Officer** Rich wept during the proceedings.

The other **officers** are to appear in court today. Carlson plans to conduct their arraignments Monday when they are to respond to the charges.

Diaz told reporters that he and many of the other **officers** are innocent.

"If any **officers** are guilty of doing any of these crimes, they should be in jail," Diaz said. "Unfortunately, it's going to require some of the **officers** who are not guilty to go through the process with them. I want everyone to know that just because **officers** were indicted today does not mean they are guilty," he said.

Three of those indicted -- Melendez, Denny Borg, and Timothy Gilbert -- are former DPOA **officers** of the year, according to Charles Barbieri, commander of the 4th Precinct.

Barbieri said he was shocked.

"We got hit hard today," he said. "Some of the **officers** indicted are good **officers**. I feel that eventually some will be exonerated.

"I'm not defending corruption," he added. "Does it happen? Yes. Do false reports get made simply because they can? Yes and absolutely. The bad guys don't have to play by the rules."

Complaints trigger probe

The investigation began last July and apparently was prompted by citizen complaints, Collins said. The case was investigated by the Joint Investigative Task Force, which is made up of the Detroit Police Department's Professional Accountability Bureau, the FBI and the U.S. Attorney's Office. The group was formed a year ago.

The indictments meant a lot of smiles at the Penick home. "It feels good," said Shaniqua Penick, 19. "It's about time they got all the corrupt cops off the streets."

According to the indictment, on Dec. 3, Melendez subjected Penick's father, Nathaniel Penick, 42, to an unreasonable search at his home in the 1000 block of Rademacher. While searching, Melendez allegedly stole about \$2,000 belonging to Penick and his wife, Anita Penick, 37.

Shaniqua Penick recounted how she, her mother, and her brother Nathaniel Penick Jr., 18, were walking on the front sidewalk of the family home at about 11 p.m. when a police **officer** told them they couldn't go inside.

About 20 minutes passed before the police left. Penick's father told the family the **officers** never showed him a warrant. Later that night, Penick said her mother could not find the \$2,000 she kept to pay the family's bills.

Penick said her mother waited about two days and then filed a complaint.

Sheryl Robinson, the newly appointed federal monitor who will oversee enforcement of the federal consent decrees, declined to comment on the indictments.

Oliver told Police Commissioner Edgar Vann Jr. at Thursday's commission meeting that other investigations are under way.

"This is not the end of it," Oliver said. "There are other allegations and there are other investigations that will be proceeding."

THE COUNTS

Those indicted, their age, hometown, assignment (where available) and the counts they face:

- * William Melendez, 34, Livonia, also known as RoboCop, 4th (Fort-Green) Precinct;A(two counts), B, C and D.
- * Matthew Zani, 36, Detroit, narcotics special enforcement section, also known as Spike;A (two counts) B and D.
- * Jeffrey Weiss, 32, Dearborn, 4th Precinct, also known as Joker;D.
- * Troy Bradley, 36, Detroit, 4th Precinct;D.
- * Christopher Ruiz, 29, now of Tampa, Fla., narcotics special enforcement section;D.
- * Timothy Gilbert, 28, Detroit, 4th Precinct; A and D.
- * Mark Diaz, 28, Detroit, 3rd (Vernor) Precinct;A and D.
- * Jerrod Willis, 32, Southgate, 4th Precinct;D.
- * Chris Guinn, 39, Detroit, 4th Precinct;A and D.
- * Thomas Turkaly, 38, Warren, narcotics special enforcement; D.
- * Ricardo Villarruel, 34, Detroit, 4th Precinct;D.
- * John McLeod, 25, Lincoln Park;D.
- * Denny Borg, 31, Woodhaven, 4th Precinct;D.
- * James Coss, 30, Detroit, 4th Precinct;A and D.
- * Stephen Petroff, 31, Dearborn, 4th Precinct;A and D.
- * Nicole Rich, 24, St. Clair Shores;D.
- * John Watkins, 4th Precinct; C and D.

KEY

- A - Deprivation of rights under color of law
- B - Use and carrying of firearm during crime of violence
- C - Possession of stolen firearm
- D - Conspiracy against rights

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