

Right group seeks police records on surveillance of Nazi organizations

During the 1950s, '60s and '70s, the Michigan State Police trailed political activists and maintained secret files on them. The files — which came to be known as the "Red Squad" files — were compiled under three state laws relating to "subversion" passed by the Michigan Legislature in 1950.

Those laws were declared unconstitutional by state Circuit Court rulings in 1976 and 1977 and have been repealed by the Legislature. By court order, all persons spied on by the now-defunct Red Squad are entitled to receive a copy of their own file, if any exists.

A 1974 lawsuit by consumer, civil rights and activist groups against police political surveillance led to the release of an estimated 60,000 files kept by Detroit police since the 1930s.

By Jackie Klein
staff writer

The American Civil Liberties Union is conducting an investigation into possible violations of the constitutional rights of neo-Nazis and other political activists.

The Oakland County branch of the ACLU, using the Freedom of Information Act, has requested surveillance documents involving "citizens in Nazi-like uniforms" and other groups from police in Southfield, Birmingham, Ann Arbor and Oak Park.

The requested information in Southfield focuses on a May 1981 demonstration by members of the S.S. Action Group of the National Socialist Party (the Michigan branch of the Nazi organization) in connection with an Israeli Independence Day celebration.

The ACLU has asked for documents on advance police security planning and surveillance of neo-Nazis, Jewish groups and alleged pro-communist and socialist groups at the celebration.

THE SOUTHFIELD Police Department also has been asked by the ACLU

to turn over information on supervision, surveillance, note-taking, photographing or other activities by Lt. John Hood and Chief Edward Ritenour.

"We're attempting to draw distinctions between surveillance and investigation of suspected criminals and non-criminal activists," said ACLU executive director Howard Simon in a telephone interview this week. "People have constitutional rights to engage in political activities."

"The 'Red Squad Files' on political activists contained 20 years of scandal and have since been declared unconstitutional. Families are free to attend rallies in support of Israel without fear that their participation will place them in a police file."

The ACLU has given Southfield a 10-day extension — from the original date of Jan. 27 to Feb. 17 — in which to respond to the request for information.

"There are specific exemptions in the Freedom of Information Act and we need time to determine which documents in the voluminous police records are exempt and which must be made available under the statute," said Southfield City Attorney William Beach.

"To the best of my knowledge, Southfield police keep an incident file such as one on the Israeli Independence Day parade, not personal files."

Among public records exempt from disclosure under the act are some police investigative documents, trade secrets and personal information about an individual which would constitute invasion of privacy.

"The Southfield Police Department has never kept so-called 'Red Squad' files," said Ritenour. "Our police officers must gather knowledge about political activist groups in case of an incident."

"WE WOULDN'T be doing our job if we didn't provide security for events in which there's the possibility of an outbreak of violence. Lt. John Hood has a good rapport with many members of these groups and that has benefitted Southfield citizens."

Birmingham Attorney James Lafferty, chairman of the executive board of the ACLU Oakland County branch, said it came to his attention that Hood may have been conducting police activities in Oak Park last August.

On that occasion, a Nazi group demonstrated in opposition to a rally in support of Israel after the invasion of Lebanon. Hood, according to a Southfield police official, attended the rally on his own time as an observer.

"Hood seems to be involved in the surveillance picture and we want to know what he's doing and where," Lafferty said. "Oak Park police took pictures of Nazis and other citizens. A Nazi is a political activist, not a criminal, unless he robs a bank or commits an act of violence."

Hood again came to the attention of the ACLU when he testified in an Oakland County Circuit Court lawsuit involving the right of militant Jewish Defense League leader Rabbi Meir Kahane to make a speech in Southfield, Lafferty said.

Hood testified at the hearing last December that Mark Heydrich, a member of the S.S. Action Group, told him about a dozen Nazis would protest if Kahane was allowed to speak.

HOOD SAID he was concerned about the possible confrontation between the Jewish Defense League and Nazi groups which demonstrated in Southfield last May during the Israeli Independence Day Parade.

Kahane was later granted the right to speak in the city by an order from the U.S. District Court. The rabbi has filed a \$2 million lawsuit against the city for violation of constitutional rights and breach of contract in canceling rental of a room in the Southfield Parks and Recreation Building for a Nov. 23 speech.

The ACLU also is seeking information from Birmingham on police surveillance at a Shain Park demonstration last summer which may have involved neo-Nazis and other political groups.

Lafferty said in 1981 he himself was still a subject of an active Birmingham Police Department intelligence file — almost identical to the now illegal State Police "Red Squad" files. The Birmingham files have been returned to individuals.

"State police have called local police to cooperate in surveillance," Lafferty said. "When files are kept, that's a definite violation of first amendment rights."

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