

# 9 Police Indicted in Black's Death

Combined News Services

Memphis—Nine law officers were indicted yesterday in the beating death of a black youth who they said originally had died in an auto accident.

Four of the officers—a black sheriff's lieutenant, two other county policemen and a city policeman—were indicted on charges of first-degree murder in the death of Elton Hayes, 17, on Oct. 15. Four other city patrolmen were indicted on charges of assault to murder, and a city police inspector was indicted on a charge of neglect of duty. All but the lieutenant are white. Hayes' death caused three days of street violence and public demands for a police review board.

Police had first reported that Hayes died in a wreck after he and two other black youths tried to outrun officers pursuing them for a traffic offense. Police said they had forced the youths' truck into a ditch after chasing it across the city line, that it overturned and that Hayes was killed when he was thrown out. Instead, the autopsy report showed, Hayes was beaten to death. Furthermore, Hayes' companions, George Barnes, 15, and Calvin McKissack, 16, pointed out that the truck had not been damaged and had not turned over, and said that Hayes had been sitting between them. They also said they were beaten.

The four charged with murder—Sheriff's Lt. Theodore R. Wilks,



The acting Memphis police chief, Jack Wallace, left, escorts Ptl. Michael J. Dougherty into county jail yesterday after Dougherty was indicted on charges of first-degree murder in the Oct. 15 beating death of a black youth. Eight other officers also were indicted, three for first-degree murder.

Sheriff's Plts. Edward M. Bonham and Johnny L. Roberts and City Ptl. Michael J. Dougherty—were freed on \$10,000 bond each. Those charged with assault to murder, City Plts. Danny L. Davis, Larry R. Skelton, James B. Dyer and William R. Graves, were released on \$2,500 bond each. City Police

Insp. Harold Ray was charged with neglect of duty, a misdemeanor, and released on \$500 bond.

Barnes, who drove the truck, said he had taken it from his father without permission and that when police began pursuing him, he sped for the Mississippi line because he was afraid that he

would be punished for taking the truck.

He said that when he ran into a sheriff's roadblock just outside the city limits, he brought the truck to a sliding stop next to a ditch "The whole place filled up with police and sheriff's cars, and I said, 'They are either going to shoot us, take us to jail or beat us to death.'"

He said that when they were dragged from the truck, "I grabbed my head, and they began poking me in the ribs with their sticks. I could see policemen on their knees . . . swinging their sticks up in the air . . . I never heard anything from Calvin or Elton [the other two youths]. All I could hear was cops calling us everything but a child of God."

A 13-man county grand jury of 10 whites and three blacks returned the indictments after hearing testimony for three days.

Sheriff Roy Nixon earlier had expressed belief that his men were not to blame. "I have continually stood behind the men of this department," he said, then stopped as tears streamed down his cheeks. "As long as I'm sheriff, I'll continue to do that."

The call for a police review board resulted in a proposal Tuesday by a City Council committee that the city's human relations committee be expanded to look into the growing number of complaints about police behavior.

## DA: Mobil Hired Mob to End Strike

By Tom Renner

Brooklyn—One of the nation's oil giants, Mobil Oil Co., was accused yesterday of "joining forces" with mob figures to break a strike in a partnership that eventually led to alleged extortion and threats on the lives of company executives.

The picture of big business flirting with the mob's muscle to further its own aims was drawn yesterday by Brooklyn District Attorney Eugene Gold after federal and Kings County grand juries returned multiple indictments charging three alleged mob figures with conspiracy, grand larceny and **extortion**. Gold charged that Mobil had paid \$130,000 in extortion money, including a \$72,000 payoff in small bills stuffed in a satchel and left for pickup in the lobby of Mobil's Manhattan skyscraper headquarters. He noted that Mobil turned to law enforcement only after its executives had been threatened and the extortion money allegedly had been paid.

"It is a disturbing example of what happens when legitimate business joins forces with organized crime," Gold said. Mobil issued a statement later asserting that the company had terminated its relationship with the alleged mob figures after "receiving what we considered to be improper demands for continuing [gasoline] delivery services." The company said that it had cooperated with the FBI and the New York Joint Federal Strike Force directed by Daniel P. Hollman.

Gold, flanked by Hollman at a press conference, gave details after identifying the three alleged mob figures as: Modesto Santoro, 58, of Brooklyn, identified by police sources as a Joseph Colombo crime family soldier; Carmine (Tutti) Franzese, 40, of Maspeth, the nephew of jailed Colombo captain-enforcer John (Sonny) Franzese, and Lazzaro Sangiovanni, 43, of Queens Village, an oil dealer and

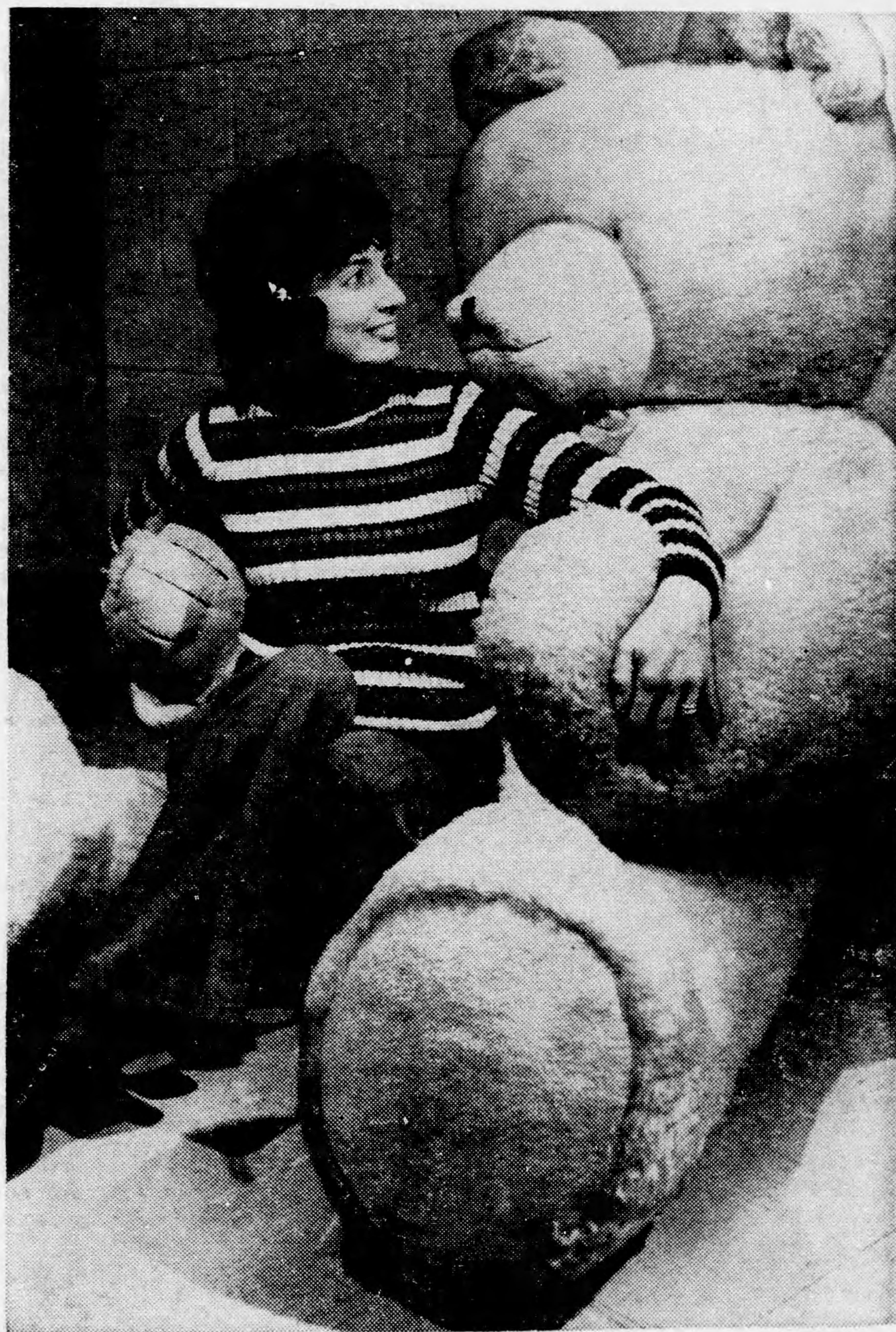
convicted truck thief, described as a Colombo associate.

Gold said that Mobil's dealings with the mob began in April, 1971, when it signed a contract with Sangiovanni and his corporate front, Sular Enterprises Inc. The contract was described as a contingency plan to break an expected strike by the Petroleum Employees Trade Union, representing truck drivers.

Under the contract, the federal indictment charged, Mobil was to lease 30 trucks at \$1 each a month to Sular, which in turn would guarantee a minimum of four deliveries per truck per day in the event of a strike. Mobil agreed to reimburse Sular for hiring 100 drivers and 100 helpers at \$10 an hour for 16-hour days and to pay a \$100 finder's fee per man plus \$120 per delivered truck load of fuel.

A strike was called May 1 and Sular tried to continue Mobil's operations, but was blocked and harassed by angry union pickets. Between May 1 and May 4, according to the indictment, Franzese and Santoro joined Sangiovanni and word spread at picket lines that the mob was involved and pickets would get hurt. On May 6, the indictment charged, Mobil, which had paid \$27,000 to Sangiovanni, tried to renegotiate the security fees at a meeting with all three men. That evening, an unidentified Mobil official received a call saying: "It will be like the '30s [referring to gangland murders in the 1930s] unless we receive the money." The caller also threatened that refineries and tank farms would be blown up, trucks set afire and executives assaulted. Mobil agreed to pay \$72,000, which was left in Mobil's lobby at 150 E. 42nd St., at 11:30 AM May 7.

All three indicted men pleaded innocent and were freed on bail—\$10,000 for Franzese and Santoro and \$15,000 for Sangiovanni, who also was charged with forgery.



Newsday Photo by Jim Cavanagh

### Pretty Soft

Mrs. Mary O'Connor of Rahway, N.J., has her eye on a soft and cuddly seat. The oversized teddy bear, one of a kind, was among the items offered at a public auction by the Bureau of Customs in Manhattan yesterday. The teddy bear was tagged at \$116.