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NEWS

Montgomery's 'Todd Road' arrests made national headlines in 1983

Alvin Benn Columnist

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Editor's note: Feb. 27, 1983, began as a routine day for two Montgomery police detectives who would find themselves confronted by angry mourners from the North who had driven to the Capital City for a funeral. When the night was over the incident had become known simply as "Todd Road" and attracted national attention. The following is an account of what happened, written by Montgomery Advertiser writer Alvin Benn who covered it. Several of those involved have died since the incident occurred.

Two Montgomery plainclothes detectives investigating a missing persons report were driving through a black neighborhood when they noticed several cars outside one of the houses. Most were late models with out-of-state tags. The officers got out of their vehicle and began questioning a man who approached the house.

The next few minutes were filled with violence. Officers Les Brown and Eddie Spivey, who nearly died, still carry the physical and emotional scars of that night. So do the mourners inside the house on Todd Road.

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A police incident report filed later said the man who was being questioned struck Spivey and ran into the house. The detectives followed him inside and found themselves face-to-face with more than a dozen angry men. They had driven to Alabama from Ohio and Michigan to pay their respects to relatives of an elderly woman who had died a few days before the incident.

Spivey was beaten and stabbed. Brown was beaten and shot. He saved his own life by pushing a finger into the hole left by a bullet that hit him in the chest. Police soon surrounded the house and the two investigators were rescued.

Within a few minutes, 11 people were under arrest, charged with everything from attempted murder to kidnapping and robbery. Then-Police Chief Charles Swindall said those in the house were like "wild animals that had their prey on the ground."

Feb. 27, 1983, was a Sunday night and it didn't take long for the national spotlight to focus on the "Cradle of the Confederacy." It was just too good a story for some out-of-state newspapers to pass up — two white cops burst into a house filled with black mourners in a town where police violence was still fresh in many minds.

A few years before the "Todd Road Incident," as it became known, Montgomery had its own version of the "Watergate" scandal when white cops placed a "throw-down gun" next to the body of a young black man they had shot in the back during a chase. That incident led to the resignation of the mayor and a major shakeup in the police department. Some of those arrested on Todd Road complained that they had been beaten by white cops at the police station. The FBI announced it would look into the matter.

I read about the incident, but didn't think much more of it because I had my hands full covering Alabama's Black Belt out of our Selma office. Five different reporters had covered the beatings and arrests. That's why I was surprised to get a call from one of my editors who said I would be flying to Detroit to see what I could find about the out-of-state visitors.

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It wasn't hard to figure out why I'd be sent. Our editors didn't want to send one of their police reporters because it might jeopardize their relationship with those at the "cop shop," especially if they discovered the accused were honest, hard-working, church-going people whose only mistake was being in that house on Todd Road.

Selma lawyer J.L. Chestnut, who represented some of those arrested, made some contacts for me. It was invaluable assistance because I had never been to Detroit before and didn't know how long it would take. Ches said those who'd meet me at the airport would be at my disposal and would drive me where I needed to go. "Write whatever you find," he said. "There are no strings attached."

I flew first to Warren, Ohio, where one group of relatives lived. Then, it was on to Detroit where I was picked up and driven to Pontiac, Michigan, about 30 miles away, to interview more relatives and check more police records.

My findings did not reflect the picture painted by Montgomery police. No doubt, I had not endeared myself to them. Those who had driven to Alabama were, indeed, hard-working, church-going pillars of their communities.

I researched records at the local police and sheriff's departments and couldn't find anything. No felony arrests had been made against any of the 11 who were arrested. I did find one speeding ticket. It was obvious to me what they must have gone through.

Black mourners from the North suddenly found themselves confronted by two Southern white men who burst unannounced into their house. It was a volatile mixture. Those in the house overreacted. There's no doubt about that. Brown and Spivey were lucky to escape with their lives.

When my plane arrived at Dannelly Field in Montgomery after my last story had been filed, I was greeted by my state editor, Phyllis Wesley, my family and the lead article on the front page of the Advertiser. The story ran under the headline: "Charges leave family's friends in state of disbelief, anger." A large photograph showing 11 members of one of those arrested accompanied the story.

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"These are honest, civilized people and they're being described as vicious fanatics. My God, they went down there for a funeral, not to attack any policemen." Pearl Kennedy's comment was printed in large type and set apart from the rest of the story. "Civilized" and "Wild Animals" just didn't seem to go together.

A month after the violent incident, all charges were dropped against 7 of the 11 who had been arrested. Chestnut, who represented some of them, said the judge's decision not to bind them over to a grand jury for lack of evidence showed positive change in Alabama.

"Those who say justice is not possible in Montgomery ought to take a look at what happened here this morning," Ches said. As the weeks and months dragged on and tempers cooled, a clearer picture began to emerge.

The two white cops had made a serious miscalculation about what they thought was going on inside the house. They got more than they bargained for from people upset over the intrusion. It's too bad there weren't many cool heads around that night.

Some of those arrested then took the offensive — filing lawsuits which claimed Montgomery police roughed them up at the police station. Similar charges had been filed in the past after white cops apprehended black suspects. It was a sorry situation, but not nearly as bad as the "throw down, fatal shooting case" and cover-ups that followed. It took a long time to finally resolve that matter, but the stain remains.

Montgomery Police Chief John Wilson had a lot to do with improving the image of the department since taking over from Swindall. He was criticized at times for his handling of some cases, but not the type of "Todd Road" investigations during his administration.

Detectives were soon required to wear blazers with their badges clearly visible in the breast pocket. Brown and Spivey didn't wear any badges when they entered the house and they didn't have much time to identify themselves because they were jumped as soon as they came through the front door.

In 1983, Montgomery's police department did not have a public relations office or a specific spokesman. During the Todd Road case, it seemed everybody in the department had something to say. Swindall's "wild animal" comment didn't go over very well, as might be expected in the black community.

The chief rectified that by naming Wilson, who was a young lieutenant at the time, as the department's first public information spokesman.

"I was the administrative assistant to the chief and he said we needed a public information spokesman," Wilson recalled. "Then he looked at me and said 'you're it.'"

One of the first things Wilson did was establish a better relationship with Montgomery reporters. He took them out to Todd Road and explained what had happened. Two biracial groups were formed at that time to help ease tensions. They met to talk, break bread and get to know each other better. It was a good start and things kept getting better.

“There’s no doubt we got a black eye over the Todd Road case,” Wilson said. “But, you learn from these things. We have done our best to make our officers more sensitive to diversity and cultural differences. I don’t doubt for a second that my appointment as public information spokesman played a role in my becoming chief.”

I had always liked the way Wilson ran the police department, but he really sparkled during the D.C. sniper case that impacted the city in 2003. Montgomery, Alabama, suddenly became linked to fatal shootings in Montgomery County, Maryland.

Two snipers had fatally shot several people. A few weeks earlier, a Montgomery, Alabama, package store employee was fatally shot and a second employee wounded by one of the snipers before the two began their rampage as they drove to the North a few weeks later.

After their capture, reporters from around the country converged on Montgomery to find out about the Alabama connection to a case that had transfixed the country. Wilson stood tall in the face of mounting pressure from news crews. Unlike some law enforcement officers in other states, Wilson came right to the point and laid it out for all to consider.

“We have the death penalty in Alabama and we use it,” he said, staring into a camera he knew was sending his message across the country.

Wilson’s career with the Montgomery Police Department did not end as he had envisioned. He retired after being arrested on a charge of drunken driving — a charge he denied. The case was eventually dropped. He died several years later.