

EX-DRUG AGENTS : BOSS CAST SLUR ON FBI OFFICIAL

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A former federal drug **agent**, who was fired and later convicted of leaking grand jury testimony to the Free Press, has testified in federal court that the former No. 2 **official** of the Detroit office of the U.S. Drug Enforcement Administration had used a racial epithet to refer to the chief of the Detroit **FBI** office and tried to link the **FBI** chief to narcotics trafficking.

The former **agent**'s testimony was supported by another former DEA **agent**. Both testified during a hearing before U.S. District Judge Avern Cohn, who is to decide **on** a penalty for Richard Smith, the fired DEA **agent** who was convicted of leaking the grand jury testimony.

Wayne Davis, the outgoing head of the Detroit **FBI** office who apparently was the target of the alleged racial epithets, said he only learned of the remarks made in 1982 **on** Thursday, and said that, if they were made, they represented "juvenile behavior."

Smith testified that Joseph Salvemini, then assistant special **agent** in charge of the DEA in Detroit, had a "strong dislike for the **FBI**, especially Mr. Davis."

THE ALLEGATIONS came in an unusual "motivation and harm" hearing Cohn called to help him determine a penalty for Smith, who was convicted July 22.

Cohn said he called the hearing because there is no prescribed penalty for violating the grand jury secrecy rule, and he wanted to determine what motivated Smith to leak the information and what harm might have been caused by the leak.

Smith, who is black, was fired in April 1983 and has sued the DEA, alleging racial discrimination that, he said, culminated in his being fired.

Former DEA **agent** Allan Schwinn, who left the agency last year after 13 years there, testified that around 1982 there was a rumor that a leader of the Young Boys Inc. heroin trafficking ring, Sylvester Murray, would change his plea to guilty and testify for federal prosecutors in return for leniency.

Schwinn said he heard Salvemini remark that if Murray "pleads guilty and gives up people, I want him to give up everybody, including that big n----- across the street."

To "give up" means to "testify against," law enforcement **officials** said. Schwinn said he knew from Salvemini's past remarks that Salvemini was referring to Davis.

SMITH TESTIFIED that he heard Salvemini say, "Sylvester Murray should give up the big n----- across the street." Murray did not plead guilty. He was convicted in 1983 of drug dealing and sentenced to 15 years in prison and ordered to pay a \$100,000 fine.

Smith added that Salvemini wanted a witness working with Smith to link Davis to the Davis Family Group, a family allegedly running an international heroin distribution ring. Schwinn and Salvemini are white; Davis is black and is not related to members of the Davis Family Group.

Salvemini knew there was no basis for the allegation against Davis and "was only trying to get that out to smear Mr. Davis," Smith said.

Smith testified that he was harassed by DEA **officials** , who, he believed, were obstructing justice in the Davis Family Group case by not prosecuting several suspects working with the group. He said he gave Free Press reporter Joe Swickard copies of two reports he wrote about the case, thinking Swickard would expose the alleged obstruction of justice.

Davis, who is leaving the Detroit office in two weeks to take charge of the **FBI** 's Philadelphia office, said Thursday that he had heard "that some disparaging remarks and racial epithets were applied to me or directed at me . . . not to me personally, but in the presence of others."

"Whether it's true or not, I don't know," he said. "If it was, then there's certainly no room in our society for that kind of juvenile behavior."

Davis said there have been times when differences arose between the Detroit **FBI** and DEA offices, but that the agencies attempt to "resolve such differences as best we can."

Salvemini, now with the DEA's Board of Professional Conduct in Washington, D.C., was unavailable for comment Thursday, a DEA spokesman said.

Robert De Fauw, special **agent** in charge of the DEA office in Detroit since 1981, said Thursday, "I know nothing about that whatsoever."

No sentencing date for Smith has been set.

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