

VIOLENCE BEGAN WITH SNEAKERS POLICE SAY SETUP MAY HAVE LED OFFICER TO NEIGHBORHOOD, DEATH

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Mike Lopez was visiting his good friend Geneva Mendoza, when they decided to drop by Lawndale Market to buy some gum.

Several people said Friday that the innocent walk -- and the color of Lopez's shoes -- led to a tragic chain of events that left two men dead, including 28-year-old Detroit Police Officer Jerry Philpot II. Two other young men, in custody late Friday, face possible charges.

The events also heightened the fear in the neighborhood near Lawndale and Lafayette, which over the last five years has seen too many shootings, too many arsons and too much violence.

"I'm moving, I'm moving away from here," resident Karen Roe, 30, said Friday.

Around 5:30 p.m. Thursday, Lopez, 14, and Mendoza, 16, set out for the market. Lopez, with a soft cast on his sprained foot, wore his black and blue sneakers. Mendoza, 16, sported her black, blue and white sneakers.

But in that southwest Detroit neighborhood, where the **Latin Counts** flash their red and black garb, Lopez and Mendoza sported the "wrong" colors -- those often worn by a rival gang.

Here's how a short walk turned violent, according to police, witnesses, Mendoza's family and relatives of one suspect.

As Lopez and Mendoza neared the store in the 1100 block of Lawndale, they were confronted by four or five young men believed to be **Latin Counts**. They told Lopez, who weighs less than 100 pounds, that he had the wrong shoes on, and they started pummeling him.

When Mendoza protested, "they told my daughter to 'just shut . . . up,' " said Ted McClellan, 38. Lopez is not a gang member, he said.

Mendoza ran back to her home in the 8200 block of Lafayette, shouting, "They're beating him!" With that, McClellan and his son, Teddy Mendoza, 18, raced down near the store. Teddy Mendoza is a husky 5-feet-10 and an honor student and football player at Southwestern High School.

Lopez suffered bruised ribs and a long scratch from the eye to the back of his head. McClellan said he called EMS and Detroit police. Lopez was treated and released at a hospital.

Around 6:30 p.m., McClellan and his son started searching the neighborhood for the youths who beat up Lopez. They spotted one of them on the northwest corner of Lafayette and Lawndale, where gang graffiti defaces the side of a building.

"I said 'Fight my son one on one,' " McClellan said. By McClellan's accounts, Mendoza tore up the gang member as firefighters at nearby Engine 33 and other people watched.

Around this time, Philpot was in the neighborhood working as a plainclothes officer on the "booster crew," a support unit in an unmarked car.

It's unclear how much Philpot saw of the fight, but witnesses and police said Valentino (Tino) Salinas, 16, was arrested after one of the brawls for alleged disorderly conduct.

Later, at the 4th (Fort-Green) Precinct, Scott Younes, 18, showed up to pick up Salinas, Younes' nephew.

Younes may have had a lot on his mind: Neighbors say he is a **Count** leader, and police found photos at his house showing him flashing gang signs.

"He hung around with the guys, but other than that everybody has their stories confused," said Marisela Elizondo, 20, Younes' fiancée. She said she and Younes had planned to move to the suburbs in two weeks with their new baby to escape gang violence.

But one official with knowledge of the investigation said witnesses saw Younes pat Philpot on the back in a friendly manner when Younes went to the precinct. Investigators are trying to determine whether Younes was checking to see whether the officer was wearing a bulletproof vest.

Back at McClellan's home on Lafayette, several carloads of young men pulled up around 7-7:30 p.m. and threatened to retaliate against McClellan and his son. The cars then rolled off.

Around dark, Philpot noticed his flashlight was missing.

There's a police theory -- though not proven -- that Philpot was set up, and that his flashlight was stolen to ensure his return to the neighborhood.

McClellan contends a neighborhood drunk took Philpot's flashlight. When Philpot and his partner returned to McClellan's block around 9-9:30 p.m., they got out of their car to question the drunk. What happened next is unclear.

Some witnesses said the officers and McClellan walked in an alley with McClellan near his house at Lafayette and Lawndale.

Police and McClellan heard several shotgun pellets -- perhaps 40 -- strike the rear of McClellan's house.

They spotted John Kolniak, 21, carrying a long gun. Kolniak lived at the same home as Salinas in the 9100 block of Olivet. He also had three felony convictions, serving time in jail. But he was out of jail Thursday night.

Kolniak faced the officers. Philpot and his partner drew their guns.

The officers fired as Kolniak tried to aim at the officers, McClellan said. Kolniak was fatally wounded.

Other assailants in the dark began shooting at the officers. Philpot was wearing a bulletproof vest, but the shot skimmed the vest and entered his body through his arm.

"I was holding Jerry's head up," McClellan said.

A voice from the alley cried: "He's shot! He's been shot! . . . Jerry, don't leave us, don't leave us!"

Fellow officers rushed Philpot to Detroit Receiving Hospital, but he died in surgery around 11 p.m.

Almost immediately, police launched a massive manhunt for Younes, whom witnesses recognized as the shooter.

Police were joined by officers from the FBI, the Michigan State Police, the U.S. Marshals Service, Wayne County Sheriff's Department and the Bureau of Alcohol, Tobacco and Firearms. Pictures of Younes were distributed at Canadian border crossings and elsewhere as the investigation unfolded.

In the hours before his capture, an unidentified person called Wayne County Prosecutor John O'Hair to say Younes wanted to turn himself in.

Younes' mother, Tommie Younes, said FBI agents staked out her house overnight. "I made arrangements to bring Scott in," she said.

Elizondo, Younes' fiancée, said Salinas was re-arrested around 4 a.m.

About 10:45 a.m. Friday, Younes got out of a taxicab at his grandmother's house in the 1000 block of Lawndale. Before he could reach the door, FBI agents grabbed and arrested him.

A person close to the investigation said there were no fingerprints found on an AK47-type assault rifle recovered at Younes' house.

Salinas and Younes have juvenile records for concealed weapons and car theft. Arraignments in the case could come as early as today.

In April 1994, Salinas was given probation for car theft, fleeing police, being an unlicensed driver and malicious destruction of property. Two months later, his probation was continued for carrying a concealed weapon and violating curfew.

Younes in August 1991 received probation for car theft, disorderly conduct and malicious destruction of property. In June 1993, he was found in violation of his probation for carrying a concealed weapon.

McClellan, meanwhile, fears further retaliation.

The violence "is nothing new for this neighborhood," he said. "Maybe now that a police officer got killed, Mayor Archer will do something about the gangs in southwest Detroit."

HOW THE DEADLY EVENTS UNFOLDED

1. A fight on the city's southwest side earlier Thursday led to another fight later in the evening.
2. Officers responded about 7:30 p.m. and broke up the second fight. Officer Jerry Philpot, 28, left his flashlight behind and returned later to retrieve it.
3. While they were searching about 9:15 p.m., a man fired on the two officers and then was shot. The man died later at a hospital.
4. Seconds later, more shots were fired from across the street. A bullet hit Philpot's vest and entered his chest under his arm. He died during surgery. Police say Philpot was shot with an AK47-type assault rifle.

The vest:

Six kinds of armored vests are sold in the United States. Philpot probably was wearing one of four kinds that protect against handgun ammunition.

- * Made of Kevlar, a strong Du Pont synthetic fiber, a quarter- inch-thick.
- * Manufactured by Second Chance Body Armor Inc., of Central Lake, Mich.
- * None protects against high-powered assault weapon ammunition, such as the kind used Thursday.
- * Two other types have thick steel plates to protect against rifle threats. They generally are used only in situations where a suspect is known to be armed with a rifle.

Source: Free Press research, Associated Press, Marc Caplan, project manager, National Law Enforcement and Corrections Technology Center, National Institute of Justice, U.S. Justice Department

CUTLINE:

Ted McClellan says the holes in his back door came from gunfire in incidents Thursday that led to the death of a Detroit police officer and another man. McClellan's daughter was involved in an earlier fight between a friend and gang members over the color of the friend's shoes.

Melissa Demers, 4, plays in front of the Lawndale Market, where Thursday's altercations began. Neighborhood residents, including Melissa's mother, complain of constant conflict and gunfire in the area.

Aurora Delacruz and Tina, who would not give her last name, place flowers near where Officer Jerry Philpot II was killed.

Caption: Photo Color PAULINE LUBENS, WILLIAM ARCHIE Diagram AARON HIGHTOWER, MATT PINKNEY, MARTHA THIERRY and PATRICIA CHARGOT

Memo: CORRECTION RAN June 2, 1995

getting it straight

* A Saturday map accompanying an article about the shooting of a police officer should have shown Lawndale west of Springwells.

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