

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

VILLAGE OF SKOKIE, a
municipal corporation,

Plaintiff,

-vs-

NATIONAL SOCIALIST PARTY OF AMERICA;
FRANCIS JOSEPH COLLIN, a/k/a FRANK
COLLIN; FRANK G. DUDA; THOMAS R. GOODWIN;
ROBERT L. JOHNSON; ROBERT P. JOYCE;
VICTOR M. MADRAZO, a/k/a VICTOR
ESPANA, a/k/a VICTOR P. MC LAUGHLIN;
THOMAS MC GOVERN; WILLIAM SMALLEY;
JOSEPH A. WEBER and GARY HANSEN,
Officers and Members of the
National Socialist Party of America.

Defendants.

No. 77 CH 2702

COMPLAINT FOR ISSUANCE OF AN EMERGENCY INJUNCTION

The plaintiff, VILLAGE OF SKOKIE, a municipal corporation, by HARVEY SCHWARTZ, its Corporation Counsel, states as follows:

1. The plaintiff is an Illinois municipal corporation containing a population of approximately 70,000 persons.
2. Included among the population of Skokie are approximately 40,500 persons of Jewish religion or Jewish ancestry or of both Jewish religion and Jewish ancestry.
3. Included among the Jewish population in Skokie are hundreds of persons who are (a) survivors of Nazi concentration camps and (b) many thousands of persons whose families and close relatives were murdered by the Nazis.
4. A large percentage of the Jewish population is organized into groups and organizations. These groups and organizations include the Janusz Korczak Lodge of B'nai B'rith, and others, composed of survivors of the Nazi death camps;
5. The defendant, National Socialist Party of America, is an organization dedicated to the incitation of racial and religious hatred directed principally against individuals of Jewish faith or ancestry and non-Caucasians. The members of the National Socialist Party of America have patterned their conduct, their uniform, their slogan and their tactics along the pattern of

the German Nazi Party, including the adoption of the hated swastika. The uniform of the National Socialist Party of America consists of the storm trooper uniform of the German Nazi Party embellished with the Nazi swastika.

6. Francis Joseph Collin, a/k/a Frank Collin, is a member of the National Socialist Party of America. The defendants Frank G. Duda, Thomas R. Goodwin, Robert L. Johnson, Robert P. Joyce, Victor M. Madrozo, Thomas McGovern, William Smalley, Joseph A. Weber and Gary Hansen, are officers and members thereof.

7. On March 20, 1977, the Chief of Police of the Village of Skokie received a communication from the aforesaid Frank Collin announcing his intention to come to the Village of Skokie and march on the sidewalks thereof on May 1, 1977 together with 200 other members of his organization.

8. Since that date, a campaign of telephone calls in the early morning hours has been embarked upon by individuals identifying themselves as members of the National Socialist Party of America. Such calls have been made in the hours between 3:00 and 5:00 a.m. to persons whose names indicate the probability that they are persons of Jewish faith or ancestry. Such telephone calls inform the recipient that the Nazis intend to march in the Village of Skokie on May 1, 1977.

9. As a result of such phone calls and some publicity given by the news media, it is common knowledge in the Village of Skokie, particularly among the Jewish population, that the National Socialist Party of America intends to march in the Village of Skokie on May 1, 1977. The threatened march of the defendants on May 1st has aroused the passions of thousands of individuals of Jewish faith or ancestry within the Village and more particularly has aroused the passions of the survivors of the Nazi concentration camps who are taking measures unknown to the plaintiff to thwart the threatened march.

10. The march of the defendants on May 1, 1977 is a deliberate and willful attempt to exacerbate the sensitivities of the Jewish population in Skokie and to incite racial and religious hatred. Such march, if not restrained by Order of this Court, constitutes a grave and serious threat to the peace of

the citizens of the Village of Skokie.

11. By reason of the ethnic and religious composition of the Village of Skokie and the circumstances alleged above, the public display of the swastika in connection with the proposed activities of the defendant, National Socialist Party of America, constitutes a symbolic assault against large numbers of the residents of the Plaintiff village and an incitation to violence and retaliation.

12. The plaintiff has no remedy except in a Court of equity.

WHEREFORE, plaintiff prays for the issuance of an emergency injunction against the defendant restraining and enjoining them from engaging in any of the following activities within the Village of Skokie on May 1, 1977:

A. Marching, walking or parading in the uniform of the National Socialist Party of America.

B. Marching, walking, parading or otherwise displaying the swastika on or off their person.

C. Distributing pamphlets or displaying any materials which incite or promote hatred against persons of Jewish faith or ancestry or hatred against persons of any faith or ancestry, race or religion.

D. That John N. Matzer, Jr., Village Manager of the Village of Skokie and its chief law enforcement officer, by and through the members of the Skokie Police Department, be authorized and empowered to take whatever steps may be required by him to insure compliance with the terms of this injunctive order.

E. And for such other relief as the Court may decree.

VILLAGE OF SKOKIE, a
municipal corporation,

By: _____
Harvey Schwartz,
Its Corporation Counsel

HARVEY SCHWARTZ
5127 Oakton Street
Skokie, Illinois 60076
OR 3-0500

STATE OF ILLINOIS)
COUNTY OF C O O K) SS

HARVEY SCHWARTZ, being first duly sworn on oath, deposes and says that he has read the foregoing Complaint for Issuance of an Emergency Injunction and that the allegations contained therein are true and correct.

SUBSCRIBED and SWORN to
before me this _____ day
of _____, 1977.

Notary Public