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LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

REPORT

POLICE-COMMUNITY RELATIONS DEMONSTRATION PROJECT

APRIL 13, 1968

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INTRODUCTION

The Lawyers' Committee for Civil Rights Under Law was formed immediately after a White House meeting on June 21, 1963 to which President John F. Kennedy invited 250 lawyers. Flanked by the Vice President and Attorney General, President Kennedy urged establishment of a national committee of lawyers, independent of any particular part of the organized bar, who would use their skills and influence to alleviate community tensions and provide legal remedies for persons denied their legal rights by prejudice or poverty.

The Committee is composed entirely of lawyers, and includes leading representatives of the organized bar and the legal profession.

The Committee's members, representing all parts of the nation and many shades of opinion on race relations, are nevertheless bound together by a deep sense of professional obligation to use their special training for the community benefit. Like all reasonable men, Committee members can find agreement on one overriding principle--the principle that every American is entitled to the equal protection of the laws.

The police-community relations program of the Lawyers' Committee for Civil Rights Under Law is a response to a Presidential request that the Committee direct its efforts to the nation's most serious domestic problem--the crisis of the cities.

President Lyndon B. Johnson asked in 1965 that the Committee provide help in marshalling the resources of the organized bar across the nation in coping with the urban crisis. In a letter to the co-chairmen of the Committee, the President said:

There is, of course, more the Committee can and should do, not only in the South, but in the large cities of this country. Lawyers are especially equipped to assure that the legal rights of economically deprived slum dwellers of our large urban areas are not violated, and most importantly, that respect for law and order is strengthened. This can be helpful to the Poverty Program and other Federal programs as we grapple with the underlying causes of unemployment, housing deprivation and educational denials.

The President's comments led the Committee to examine the panoply of community tensions and disorders that were troubling the nation with the purpose of making a direct contribution in an area within the special competence of lawyers. It was decided to focus Committee attention on the specific need to develop cooperation, understanding, and respect between the police and the estranged minority groups of our cities.

It was clearly recognized that, to a considerable degree, friction between the police and the minority community results from larger problems of poverty and discrimination that create community tensions and breed mistrust of authority. Policemen are often the only representatives of the community establishment to have direct and continuing contact with minority citizens. They unavoidably become the targets of long-felt frustrations and hostilities. They are often seen by the slum dwellers as oppressors and symbols of the status quo. And many policemen form reciprocal hostile

attitudes towards minority groups. The result has been and is a widespread state of community tensions that, in several significant instances, have erupted into disorder and violence.

Recognizing therefore that the problem of police-minority hostility was compounded by the larger problem of establishment--minority hostility, the Committee concluded that a logical response must meet both issues simultaneously. Both the police and the minority community share a common feeling of isolation from, and a lack of understanding by, the broader community. The agreed upon goal, therefore, was to demonstrate to both the police and the minority community that the established legal profession in this country was concerned with their problems and that it would energetically use its resources in an attempt to solve those problems. By its relation to the police, the Committee hoped to counterbalance existing conservative pressures on the police to maintain the status quo. Such action would allow enlightened police administrators the freedom to follow their own best judgment (which in many cases was far more progressive than that of the remainder of the municipal administration.) By its relation to the minority community, the Committee hoped to afford to the poor a pipeline to the seats of power in a city. Such action would avoid the rampant despair that plays so large a part in urban unrest.

The vehicle chosen to accomplish those twin goals was the development of an effective program designed to develop and test new techniques that could ease tensions and make an important contribution to communities

across the nation. The program was conceived as experimental and the types of techniques to be tested were expressly left open-ended.

The Committee's program was initially funded by a \$75,000 grant from the Office of Law Enforcement Assistance, matched by Committee funds, for the project period, as amended, June, 1966 - October, 1967. As the Committee's program began to take shape, it received important economic support from the private sector. The Ford Foundation made a general grant to support the activities of the Lawyers' Committee, which made it possible to hire paid local staff in selected project cities in 1967. Other support was received from a variety of private corporations, foundations, and lawyers.

The CLEA grant was made in direct support of a plan to conduct intensive programs in three cities. While all were to be representative of American urban life, each was to be selected from a different geographical area, embody somewhat differing conditions and population characteristics, and exhibit interest in cooperating with the Committee in the project.

The Committee decided to choose one city in the North, one in the South, and one in the far West. Consideration was given to the first 40 cities in population ranking according to the 1960 Census. On the basis of its research and contacts with a number of cities, the Committee chose Detroit, Michigan; Atlanta, Georgia; and Seattle, Washington.

The initial step--and not an insubstantial one--was the creation of autonomous committees in each city composed of lawyers of sufficient

stature in their local communities so as to enable the goal of demonstrated concern and involvement of the establishment to be achieved. Additionally, since another expressed goal of the Committee was the creation of permanent and continuing local bar involvement, as opposed to local efforts only for the grant period, it was decided that maximum independence should be given to the local committees and that they should be encouraged to choose their own programs on the basis of staff recommendations. The Washington headquarters of the Committee was to provide technical assistance and guidance but not control.

Acting informally and without fanfare, Co-Chairman Seymour and Frederick Ballard, a distinguished Washington lawyer and member of the Washington Crime Commission,* created an ad hoc committee of lawyers in Detroit and obtained the establishment of committees within the bar associations of Atlanta and Seattle. The local groups of lawyers, closely supported by the national Committee staff in Washington, began working with police, political leaders, and minority spokesmen of their communities. A detailed description of their respective operations is given in part II of this report. The national Committee has helped the local committees to develop and implement projects, and has directly supplied staff help in each of the project cities.

* President's Advisory Commission on Crime and Juvenile Delinquency in the District of Columbia.

The staffing pattern for the Washington office proposed in the grant application called for 50 per cent of the time which the Executive Director of the Lawyers' Committee devoted to the Committee's business; 60-65 per cent of the time of a project director; two full-time staff attorneys and three full-time clerical personnel.

Berl I. Bernhard has remained Executive Director of the Lawyers' Committee throughout the period of the grant. Ronald Natalie served as Project Director until November, 1966, when he was replaced by Robert Nelson, Deputy Executive Director of the Lawyers' Committee. Mr. Natalie has served as chief consultant to the project since that date.

Supplementary funding has also enabled the employment of an additional full-time staff attorney to serve as Deputy Project Director: Jacques Feullan has held this position since February, 1967. Two staff attorneys were initially hired: Harvey Friedman and Howard Greenberg. Mr. Greenberg resigned in January, 1967 to accept a teaching fellowship at the University of Sydney Law School and was succeeded by Errol Miller.

In its grant application, the Lawyers' Committee anticipated that the staff might spend up to 90 man-days in each of its project cities. In November, 1966, when modified plans were discussed with CLEA, it was noted that the Ford Foundation grant had made it possible for the local committees to hire their own staff, and that a consequent reduction in the time spent by Lawyers' Committee staff in the project cities could be expected. Committee staff members, nevertheless, spent 69 workdays

(14 weeks) in Detroit, 54 workdays (11 weeks) in Atlanta, and 32 workdays (6 weeks) in Seattle. In addition, local members and staff were brought into Washington on a few occasions for meetings and orientation sessions.

Joseph Lohman, Dean of the School of Criminology of the University of California at Berkeley, was engaged to make an evaluation of the Committee at the end of the first year. Dean Lohman has worked closely with the Lawyers' Committee, met with the Seattle Committee's Executive Director in that city to discuss the direction in which that committee ought to go, and, with Committee staff, helped to organize a planning session on police-community relations.

Participating in this planning session were local committee members and police officials from the project cities, members of the Executive Committee of the Lawyers' Committee and leading authorities in the field from across the nation, including professors, police administrators, judges and others. The proceedings of the planning session were published. The publication has been highly praised by police chiefs and schools of police science around the country, and requests for multiple copies have been received, and honored, from several police departments, educational institutions and other organizations, 150 copies were donated to CLEA at their request. Over 2000 copies of the publication were distributed. (See Booklet I.) (See also Appendix I)

In its grant application, the Lawyers' Committee defined the test which it expected to have used in the evaluation of its first project year:

"The test of whether the project has failed or succeeded or whether individual techniques have failed or succeeded depends on whether or not the attitude of the police and community have altered as a result of it--or more precisely, whether they appear to be altering."

The Lawyers' Committee continues to believe that the standard is a valid one, though it is too early to apply it conclusively to the work that has been done.

We are satisfied, however, that substantial progress has been made. The bar in each city has become intimately concerned with the detailed problems of police-community relations. The degree of involvement of the legal establishment in the "nitty-gritty" problems of both police and community is to our knowledge unique and unparalleled. And, as will be apparent from the body of this report, striking progress has been achieved. Indeed, results have been so encouraging that the Lawyers' Committee has committed itself to continue funding the three local committees for at least a full year beyond the original termination date of the grant from OLEA. The local committees are seeking independent sources of income from local foundations and businesses in order to insure that the committees will continue to exist within the cities after the termination of Lawyers' Committee funding. At the end of that time, the Committee expects to have a second evaluation prepared by an outside authority and will be happy to make its report available to CLEA and other concerned parties.

Several publications were produced by the Lawyers' Committee in connection with the project and are attached as an appendices to this report.

They are described as part of the city-by-city chronology of part II. An annotated bibliography on police-community relations was prepared for distribution at a Washington conference of holders of grants from CLEA in the area of police-community relations. The Committee has supplied copies to the President's Advisory Commission on Civil Disorder at the Commission's request. Twenty-five copies of this publication are appended to this report as Booklet II.

It is worth noting that as part of an independent project, the Committee sponsored the publication of a pamphlet in Spanish and English explaining the rights of an arrested person and the operations of the Miami Beach Municipal Court and distributed by the police to persons held for trial in that court. (Booklet III attached). The project and the pamphlet served as a model for a similar undertaking in Atlanta by the Atlanta committee, (Booklet IV attached) and as the basis for a third booklet for use in the District of Columbia (Booklet V attached). The District of Columbia booklet was prepared after termination of the CLEA grant by a Committee staff attorney, in cooperation with Judge Tim Murphy of the Court of General Sessions and his law clerk.

More significant than any individual tool or activity, however, is the fact that the Committee's program appears to have initiated autonomous and continuing activity in each of the three project cities. If these activities bear fruit, as they promise to do in each case, they will inevitably improve relations between the police and minority groups of the

affected cities. More important, in keeping with the primary purpose of the program, they will provide a varied environment for the evaluation of innovative techniques in an important area of community concern. What follows is a description of the inception and progress of the program in each of the project cities, a description of the Committee's related activities (largely conducted with non-government funds) and a summary of the conclusions that the Committee believes can be drawn from this experience so far.

Detroit, the largest of the three project cities includes a variety of ethnic groups. While Detroit at the time of its selection enjoyed a pre-eminent reputation for superb police-community relations a Detroit program would meet a real need. The Negro population, as of the 1960 Census, was 28.9 per cent of the total within the city boundaries. In many instances, the city has become the first urban home for Negro families emigrating from Southern rural communities.

Atlanta is the transportation and communications center of the Southeast. While it is the smallest of the three cities, it has undergone dramatic growth in the past two decades, made major advances in physical redevelopment, and strengthened its claim to being the social and cultural embodiment of the new South. Its Negro population, as of 1960, was 38.3 per cent of the total.

Seattle is the financial and industrial hub of the Northwest. Multi-racial in composition, it has experienced some police-community relations

problems but no widespread disturbances of great severity. The Negro population in 1960 was 4.82 per cent; the entire non-white population was 8.37 per cent. There have been no ethnic population counts since 1960, but a fair estimate would indicate a present Negro population of at least 40,000, or 6.9. per cent. In Seattle today, the opportunities for non-whites are better than in many parts of the United States, but the very existence of the opportunities tends to attract more people than there are positions available. Studies show that the average non-white family still earns 20 per cent less than the Caucasian family, and the unemployment rate for Negroes is three times that for Caucasians.

These and a variety of other factors were considered in choosing the three cities for the Committee study. A key factor in each case was the interest of the local attorneys and police in having the studies conducted in their communities.

DETROIT

Detroit Police Commissioner Ray Girardin telegraphed the Lawyers' Committee in August, 1966, requesting that Detroit be considered as one of the three project cities.

Detroit had been thought of for many years as one of the few big cities in America with generally good relations between government and local citizens. The poverty program in that city was pointed to as a model for the Nation. Several disquieting things had happened, however, including a sudden eruption of violence against the police in the summer of 1966 in the Kerchival section of Detroit.

Mr. Natalie, then project director for the Lawyers' Committee, and a member of his staff visited with Commissioner Girardin to discuss the latter's request. After a series of meetings with members of the department, other public officials, and Professor Louis A. Radelet of the National Center on Police and Community Relations of the School of Police Administration and Public Safety of Michigan State University, the staff recommended to the Lawyers' Committee the selection of Detroit as a project city. The Committee fully recognized that selection of a city with Detroit's excellent reputation might open it to criticism (and indeed some did question it), but the Committee was satisfied that serious tensions existed.

Organization

The local Detroit Police-Community Relations Committee was the

first local body to be initiated by the Washington staff. It was formed independently of the Detroit Bar Association. William T. Gossett, former Vice President and General Counsel of the Ford Motor Company, and currently President-elect of the American Bar Association, was requested by the Co-Chairman of the national Committee to form an organization of lawyers to deal with police-community relations problems in Detroit. Mr. Gossett immediately moved ahead by selecting a number of prominent members of the Bar to serve on the newly-formed Committee. He drew the membership from lawyers in private practice as well as public service. Mr. Donald Thurber, Director of the United Negro College Fund, served as the only non-lawyer member of the Committee. Samuel Gardner, an attorney associated with the Detroit law firm of Dingell, Hylton and Zemmol, was hired to serve as the Committee's Executive Director. Other members of the Detroit Committee included: Judge Victor Baum of the Michigan Circuit Court; George E. Bushnell, an attorney in private practice, (General Counsel of the Detroit School Board and a past President of the Detroit Bar Association); Judge Donald Leonard of the Detroit Recorder's Court, (a former Michigan State Police Commissioner, Detroit Police Commissioner, and past President of the International Association of Chiefs of Police); Harold E. Mountain, Jr., an attorney in private practice and past President of the Detroit Bar Association; Thomas L. Munson, an attorney in private practice and then President of the Detroit Bar Association; and Louis F. Simmons, Jr., an attorney in private practice and President of the Wolverine Bar Association.

Research

The Washington staff made a number of on-site visits to Detroit in an effort to assess the police-community relations posture of that city. The Police Department was extremely cooperative in arranging for the members of the Washington staff to tour the city in squad cars during regular police patrols; to visit the Police Academy while in session; and to make repeated visits to the Citizens' Complaint Bureau.

Persons in all walks of life were interviewed and firm relationships were established with the leaders of a number of important community organizations. Particularly enlightening were staff visits made to Robert Tindall, President of the local Detroit NAACP and to Mr. William C. Greene, President of the local Negro peace officers association known as the Guardians. Extensive discussions were held with attorneys involved in the legal services program as well as with members of the City Council, representatives of the Mayor's office and the Commissioner's office. Meetings were also held with militant Negroes as well as Negro ministers and other ghetto residents. All this resulted in easing the task of the newly-hired Executive Director, who was quickly oriented as to the police-community relations posture of the city.

Cadet Program

At the request of the Detroit Police Department, the Washington staff was asked to assist in drafting a comprehensive police cadet

and junior cadet program. Working closely with the local community action program (Total Action Against Poverty) and the Detroit Police Department, particularly as represented by Special Assistant to the Commissioner, Hubert Locke, the Washington staff designed, developed, and sought funding for a unique cadet program, unique in at least three aspects:

1. It brings recruits into the program at a young age before they lose interest in a police career.
2. It allows persons with minor criminal records to enter as cadets.
3. It permits cadets who are so motivated to receive two years of subsidized college education.

The program was submitted for funding under the sponsorship of the community action program (TAAP) and Neighborhood Services Organization (NSC), a coordinating body for social service agencies, to the Neighborhood Youth Corps (NYC) of the Department of Labor. Once again, some questioned the feasibility of the program, asserting that federal funds were simply not available for this type of program. The Committee, however, was convinced of the merit of the proposal and that it would meet a significant need. Detroit's existing cadet program clearly needed revitalization. Of 75 available cadet positions, the force had been able to fill only 14. However, a program involving 14 and 15 year old youths for police-related tasks the previous summer had been highly successful and suggested a hopeful avenue.

Working with the police and the Neighborhood Service Organization,

the Committee helped draft a three-part cadet program in which each group would, upon completing its program, "graduate" into the next higher age group and finally onto the police force itself, having finished two years of college-level training in the process. The Committee staff prepared the basic application, arranged and participated in meetings with the Neighborhood Youth Corps and, when technical difficulties arose in processing the application, assisted in solving them. In May, 1967, Vice President Humphrey, at a reception sponsored by the Committee in his honor in Detroit, announced that funds would be made available to fill a substantial number of cadet openings. Subsequently, some \$200,000 was authorized for this purpose. An additional \$200,000 was raised by local sources. A significant result of the Police Cadet Program was reported by Detroit Committee Chairman George Bushnell: "During the riot period, not one of the young men working in the Police Cadet program was arrested. In fact, many of the cadets were known to have aided the police during the riot." A copy of the cadet program is attached as Appendix II.

The Lawyers' Committee reception for the Vice President was attended by Mayor Cavanaugh, UAW President Walter Reuther and leaders from industry, and the legal profession. At the reception, Vice President Humphrey urged those in attendance to support the programs of the Lawyers' Committee. The speech by the Vice President gave city-wide publicity to the Lawyers' Committee and lent esteemed support to its police-community relations efforts in Detroit.

Staff Proposals

The culmination of the on-site visits by the Washington staff, working together with the local Committee, is probably best reflected in a thoughtful and provocative memorandum developed jointly between a member of our staff and the Executive Director of the local Committee. This memorandum not only points out problem areas in the police and community stance of Detroit, but also suggests in concrete fashion the possible resolution of those same problems. The substance of the memorandum is attached as Appendix III. The conclusions, summarized below, were based on months of research.

Staff reports filed with the Lawyers' Committee during this period covered police recruiting practices, police training, the citizens' complaint bureau, the effects of arrest records, coordination of police and the expressed attitude of moderate, middle-class Negro citizens.

With a significant per cent of the police force eligible for retirement within the next few years, steps are being taken to accelerate recruitment. Advertisements are being run in local media soliciting applications. Bill Cosby and other Negro entertainers are appearing on recruiting programs at Detroit high schools. Examinations are being given Wednesday nights so that applicants need not forfeit Saturday overtime pay. Applicants accepted are being placed on the pay roll immediately.

The Detroit recruiting effort, however, appears hampered by a requirement of five years' service as patrolman before promotion, by a

lack of incentive pay for college training, by standards which bar applicants with arrest records regardless of whether the arrests were followed by conviction (although, as noted, this restriction has been eliminated in the cadet program except for serious felonies), by strict residency requirements, by lack of staff to follow-up applicants who originally had expressed interest and, of course, by the image of the police. It was agreed by the Committee and the police that there was no desire to lower standards in the sense of lowering the quality of the police. On the contrary, the common goal was to improve quality. Hence, existing standards were examined to determine those that hampered recruitment without providing any substantial benefits in enhancing the quality of the police. For example, the lowering of the minimum height requirement to 5 feet, 8 inches brought in 20 new applicants.

In-service and recruit training was also examined. Police training in law is conducted by lawyers from the corporation counsel's office, who, because of their busy court schedule, sometimes have to cancel lectures or give them out of order. The result, according to members of the faculty of Wayne State's Police Administration School, is that the recruits may gain little understanding of the reasoning behind the criminal law and little understanding of the consequences or law of arrest.

Human relations training at the police academy is brief and is not integrated into the curriculum. Staff observers found that lecturers on topics outside the human relations area generally did not deal with sound

human relations techniques in their particular fields.

The Detroit Police Department began an in-service human relations training program in the summer of 1966 sponsored by the local poverty organization (TAP) with a \$213,000 grant from the Office of Economic Opportunity. While attendance was voluntary, the participants were paid for participating in their off-duty hours.

The Citizens' Complaint Bureau is responsible for the processing of citizen complaints. Under the direction of Inspector Ernest Heffernan with help from two other officers and a staff of seven patrolmen, the bureau receives and investigates all complaints and sends a report to the Commissioner's office with a recommendation on the disposition that should be made. A board (composed of the Commissioner, the Superintendent, and the Assistant Superintendent of Police) makes a final decision and notifies the complaint Bureau, which in turn notifies the complainant.

The staff found the Bureau's procedures both fair and responsive. The complainant is received in the YMCA to encourage those who might hesitate to enter police headquarters. After the complainant is interviewed, the interview, which is recorded, is used as a basis for questioning the officers involved and any other witnesses who could shed light on the incident. The officer(s) are questioned by members of the Complaint Bureau staff and by the officer(s)' precinct commander. Officers who have had multiple complaints made against them have been transferred to assignments that lack contact with the public.

The high quality of the Bureau suggests that it should be promoted in the community and that its functions should be expanded. It is not widely known in the community and it should be involved in all aspects of the Department's community relations program, including training, to the same degree that it is now in complaints and in the precinct meeting program.

The meetings, composed of Presidents of Block Clubs, were attended by staff attorneys who found the participants mainly to be from the middle class, small businessmen, ministers, and other professional people. There was little or no participation from young people and militants. Members of the neighborhood expressed the view that effective, broad-based attendance will not be forthcoming until the meetings are no longer held in precinct stations and the names of those who attend are no longer recorded.

Recommendations Made

The result of this general study was incorporated into a memorandum (Appendix III) drafted by a Committee staff attorney and Mr. Gardner at the request of the Chairman.

The memorandum prepared for the use of the Detroit Committee and the police recommended:

An early warning and referral service which would train policemen to refer individuals in need of social help to appropriate agencies and collaborate with poverty workers in meaningful crime prevention. It was

pointed out that "in poor neighborhoods, police are the first agency to see serious marital difficulties, alcoholic problems, juveniles without father figures...."

New neighborhood meetings sponsored by the Lawyers' Committee and designed to seek out disaffected youths and militants.

Formation of neighborhood civic committees within the structure of the existing police precinct meetings.

Improvement in police academy training and placement of the academy under civilian control, as recommended by the President's Crime Commission.

Closer liaison with TAP in recruiting of Negro policemen, use of Negro officers as recruiters and review of regulations governing police promotions.

Aggressive promotion of the Citizens' Complaint Bureau and use of complaints as case histories for discussion in academy lectures dealing with proper techniques for standard police operations.

Other perceptive memorandums were also produced during the course of these visits. One particularly pertinent one written by a member of the Washington staff clearly forecasts the possibility of violence erupting over the invasion of an after hour drinking establishment known locally as a "blind pig." And this, of course, was the very incident which sparked the July Riot:

"One of the chief sources of complaints were the raid on blind

pigs (after hour drinking and gambling spots). Everybody knows where they are but they are raided only occasionally. He however believes that the police only raid when they get complaints from wives unhappy that their husbands have not come home...

"Since raids on blind pigs have been mentioned by many people in Detroit...I concluded that they are an important part of life in Detroit's ghettos. This is an unwise attempt by the white middle class to foist its morals on the lower classes. Such an attempt explains in part what the Negroes mean by black power, political control of their environment. They know that they would not pass such laws if they ran their own society. They also know that the whites who pass such laws don't need "blind pigs." They have their own private liquor stock. A discussion of what type of enforcement Negroes want in this area might be an ideal subject for consideration at precinct meetings.

The Lawyers' Committee also attempted to keep the local Detroit Committee abreast of the developments in the area of police-community relations by supplying pertinent materials and publications such as the Crime Commission Reports.

In May, representatives of the Detroit Committee attended a discussion-dinner held in conjunction with the Justice Department/American Bar Association- sponsored Crime Control Conference in Washington, D.C. Harold Mountain, Judge Donald Leonard, former President of the International Association of Chiefs of Police, and both members of the Detroit Committee, were in attendance. They were able to return to Detroit and share with the local Committee the aspirations and observations made by all those present at the conference. It should be noted that Orison Marden, President of the ABA, in the opening address of the Crime Control Conference

specifically cited the Lawyers' Committee efforts in police-community relations as being "unique in this area."

In June, the Detroit Committee witnessed a changeover in Chairmanship necessitated by Mr. Gossett's new responsibilities as President-elect nominee of the American Bar Association. George Bushnell, a member of the Detroit law firm of Miller, Canfield, Paddock & Stone, who serves as General Counsel of the Detroit School Board, and was formerly Chairman of the Neighborhood Services Organization, was confirmed by the Committee to succeed Mr. Gossett.

A delegation of the Detroit Committee was also in attendance at the Planning Session, held under the sponsorship of the national Committee in Washington. In attendance were Police Commissioner Ray Girardin, Chairman George Bushnell, Thomas Munson, and Executive Director Samuel Gardner.

Effect of Riots

On July 23 rioting broke out in Detroit. The proposed program of the Lawyers' Committee in the field of police-community relations received a severe setback. The staff memoranda proposing changes in police training, etc. were shelved in favor of a program of direct action concerning the legal profession and its response to the Detroit riots. After the Detroit riots, Chairman Bushnell wrote to the Lawyers' Committee:

"I would propose that the Lawyers' Committee for Civil Rights Under Law, through its Detroit Committee, undertake a detailed study of the Profession's reaction and response to the riot that occurred in Detroit, beginning July 23, 1967. The study would be directed towards the legal profession as to how and why it functioned or failed to function during this time of crisis, with special emphasis upon the practicing bar, including the prosecuting attorney's office for Wayne County, and upon the bench.

"Collateral emphasis, of course, would be placed upon the relationship of bench and bar with those non-lawyer agencies that support the fair administration of justice, the Detroit Police Department, the Wayne County Sheriff's office, the Michigan State Police, and, in this particular instance, the military authorities as represented by the Michigan National Guard, the Air National Guard, and the United States Army. The study would undoubtedly also involve the executive branches of local, state and federal government and their influence; upon the administration of justice during this time.

"I would further suggest that the necessity for such a study is four-fold.

"First, it would now appear that, for all practical purposes, the United States Constitution was absolutely suspended from sometime during the evening of Sunday, July 23rd, to Tuesday, August 1, 1967. (These initial and terminal dates may, of course, be inaccurate. Only the facts as they are ultimately determined to be will accurately establish whether or not the dates are correct--let alone the premise which is here offered. I am particularly dissatisfied with any terminal date since my information as of this date, Thursday, August 3rd, is that in certain instances and among certain institutions, flagrant and deliberate ignoring of constitutional rights is continuing.)

"Second, already, literally before the dust has settled, a plethora of study has commenced. I assume and feel quite confident in this assumption, that all of the studies that will be made of the Detroit riot, little or no attention will be paid to the functioning of the law and to the response and responsibilities of the legal profession during this time.

"Third, I am equally confident that no one other than lawyers, themselves, would ever consider the role that the profession must play in the rejuvenation of this city and of the total community following the riot.

"Fourth, I am certain that the experience of the profession in Detroit if accurately and adequately reported and evaluated, will be of inestimable value to our brothers in other cities, and communities. For if they have not faced riot, they will."

The Detroit Committee at its next meeting adopted Mr. Bushnell's proposal, and accepted his recommendation that the Committee expand so as to more adequately represent an action element of the Detroit legal community.

The Reverend Paul Harbrecht, Dean of the University of Detroit Law School and Chairman of the Board of Directors of Georgetown University, was added to the membership of the Committee. Father Harbrecht and the Detroit Law School have been operating a legal clinic for the indigent known as the Urban Law Center, under a grant from the Office of Economic Opportunity. He has compiled a great deal of information on the legal problems which are faced each day by the poor and plans to make this data available to the Committee in an effort to forward its work. Also added was John C. Emery, Chairman of the Civil Rights Committee of the State Bar of Michigan, and a man noted for his reforms in municipal and traffic court procedures.

A subcommittee consisting of Judge Emery, Father Harbrecht, and Mr. Simmons was appointed from the Detroit Committee to draft

an outline of the research project, including staffing and required financing.

Substance of Study

The Detroit study will be conducted in four phases:

- (1) Preparation of an inventory of existing studies;
- (2) Collection and analysis of statistical data;
- (3) Interviews with members of the legal profession and local governmental officials; and
- (4) Conclusions and recommendations.

The first phase will analyze and evaluate existing studies to determine their relevance. This is to involve discussion with project directors, heads of legal organizations, deans of law schools, and various organizations in city government. To accomplish this task, an experienced research statistician will be hired to assist in the evaluation of these materials and to examine available records in Recorder's Court to ascertain what information can be obtained from them and from other records.

Phase II of the study will require staff members to review every available court file dealing with the riot to ascertain the following information:

- (1) A statistical breakdown of the various offenses charged;
- (2) The number of defendants charged, male and female;
- (3) Bond set
 - a. breakdown by judge,

- b. in relation to date arrested,
 - c. in relation to background of each defendant,
 - d. in relation to nature of the crime charged.
- (4) Attorney of record
- a. whether retained or appointed,
 - b. number of defendants represented by each attorney,
 - c. number of attorneys each defendant had.
- (5) Disposition of each case in relation to offense charged and judge
- a. number of cases dismissed,
 - b. what sentence was imposed,
 - c. whether the case is still pending.

After this factual data is collected, a statistical analysis is to be prepared to determine the extent of the bail bonds set, the number of defendants with or without counsel, how many different counsel one defendant had during the various stages of the legal process, the number of attorneys involved, the number of defendants handled by each attorney, and the ultimate disposition of the cases, including the nature and extent of the sentences imposed.

Phase III is to involve use of both professional and lay interviewers. Professional interviewers will be employed to conduct interviews with the judges, key members of the legal profession, and other officials of local government.

The objectives of the interviews will be to obtain factual data as to what happened in the administration of justice during the period of the riot. The interviewers will seek opinions on what happened, how it happened, why it happened the way it did, and what should be done in future cases. The interviewers will seek to find out what lawyers

actually did from the time they became aware of the riot until the riot condition terminated. In addition, the interviewers will seek to find out the attitudes of lawyers in relation to the administration of justice during riot conditions and the Constitutional rights of defendants during riot conditions.

The interviewers are also to contact lawyers and law firms that did not participate and seek to determine why they failed to participate and what effect their lack of participation had on the judicial process and the administration of justice during the riot.

In the final phase of the study, the Detroit group will draw conclusions and make recommendations from the data at hand.

Professional research statisticians will be employed in conjunction with members of the legal profession. A manual containing all data is to be prepared for distribution.

Emphasis will be placed upon the Detroit situation with suggestions being made for use elsewhere. Cooperation and coordination will be maintained with the Criminal Law Committee of the Detroit Bar Association, the Legal Aid and Defender Association of Detroit, the Civil Liberties Committee of the State Bar of Michigan, the Legal and Finance Subcommittee of the New Detroit Committee, and other similar organizations which have assisted in the preparation of this proposal.

While the Detroit Committee is operationally autonomous, it is not yet financially independent though it has begun to solicit and

receive some degree of private funding. A contribution of \$5,000 was made to the work of the Committee by the Detroit Edison Company and a contribution of \$2,500 was made by the United Auto Workers.

The Committee's operations hold much promise for the future, both locally, and indeed nationally. The study discussed above will not merely be significant in solving Detroit's problems. At the American Bar Association's mid-winter meeting held during February, 1968 in Chicago, the Conference of State Bar Presidents (Presidents of all 50 state bar associations and Presidents of bar associations in the largest cities in the United States) gave over a substantial portion of its annual meeting to the role of the legal profession in times of civil disorders. Every speaker at that session was a member of the Lawyers' Committee. Detroit Chairman George Bushnell addressed the meeting, and the Detroit study's conclusions and recommendations will form the in-depth analysis to support the development of contingency plans which all bar associations may adopt, and adapt to their local situation. To this end, the Lawyers' Committee has established a major subcommittee headed by Cyrus Vance (former Under Secretary of Defense) to deal with the development and implementation of contingency plans for the administration of justice during periods of civil disorder.

Finally, the Committee is confident that the plans and recommendations developed by the staff with the cooperation of the Department are valid and would have made a substantial contribution to police-

community relations. The riot resulted in concentration on more immediate and pressing tasks. However, the ongoing effort of the local committee will, we trust, deal with these long-range programs in the future.

ATLANTA

When the Committee first submitted its application to OLEA, Atlanta, Georgia was suggested as one of the three cities which might be chosen for the police-community relations study. A series of informal contacts had revealed considerable interest on the part of local lawyers. Police Chief Herbert Jenkins wrote to the Lawyers' Committee saying that:

"We are very much interested in this program and hope we can work out the details to help Atlanta participate in this program."

Judge Griffin Bell of the Fifth Circuit Court of Appeals, who was serving as the Chairman of the Metropolitan Atlanta Commission on Crime and Juvenile Delinquency, also expressed his desire that Atlanta be chosen.

The Atlanta Commission, appointed by the Mayor, had just published a comprehensive report on crime and juvenile delinquency in Atlanta. The bar in Atlanta had made a massive contribution of time to doing the staff work for the Commission. Because of the excellence of the report and the strong commitment of the bar, the Lawyers' Committee decided to use the Atlanta Commission's work as a jumping-off point — both for proposals and for personnel.

The Executive Committee of the Atlanta Bar Association was requested to approve the establishment of a special police-community relations committee. William Vance, of the law firm of Kilpatrick, Cody

Rogers, McClatchey & Regenstein — who had been Assistant Counsel of The Atlanta Commission's Law and Order Committee — agreed to act as liaison between the Executive Committee of the Atlanta Bar and the Lawyers' Committee.

The Bar Association established a local committee and Mr. William B. Spann, Jr., a member of the Executive Committee of the national Lawyers' Committee, agreed to serve as Chairman.

With the aid of Mr. Vance and Judge Woodrow Tucker, then President of the Atlanta Bar, the Committee was selected. It consisted of:

William B. Spann	Chairman
Hon. Lewis R. Slaton, Jr.	Solicitor General of the Atlanta Circuit
Hon. Daniel Duke	Judge, Fulton Criminal Court
Hon. Jack Etheridge	Judge, Superior Court of Fulton County
Hon. Horace Ward	State Senator and prominent Negro attorney
Herbert T. Jenkins	Chief, Atlanta Police
Sidney Schell	Atlanta attorney who has represented Governor Maddox
Harold Hill	Atlanta attorney, now with State Attorney General's office
William Cowan	Secretary of Atlanta Bar Association
C. Eugene Gilbert	Attorney in private practice
Thomas Carlock	Attorney in private practice
Hilton Fuller*	Attorney in private practice

* Subsequently hired as Executive Director of the Atlanta Lawyers' Committee

The membership was kept open-ended so as to enable the Committee to expand on the basis of project requirements. Therefore, when it was determined that court projects would also be pursued, one judge from each court was added to the membership. Another unique aspect of the Committee's membership is that Chief of Police, Herbert Jenkins, is a member of the Committee. He participates fully in decisions which will ultimately have their greatest impact on his department.

This flexible approach to membership has made the Committee an effective instrument. Those added to the Committee are:

Asa W. Candler	Attorney in private practice
Harry C. Howard	Attorney in private practice
Robert F. Lyle	Attorney in private practice
Robert E. Jones	Judge, Municipal Court of Atlanta
Richard C. Freeman	Attorney in private practice
John Bruner	Judge, Municipal Court of Atlanta Traffic Division
J.C. Daugherty	Attorney in private practice

A number of on-site visits were made by the Washington staff even before the final organization of the Committee and the selection of an Executive Director. A good deal of research was done into the problems confronting Atlanta. A detailed analysis of this research was supplied to the Committee. This research led to the outlining of a possible future course of action in three vital areas: the crime prevention squad of the Atlanta Police Department, police education in Atlanta, and civilian supporting agencies for law enforcement in the city of Atlanta. A summary of this analysis is attached as Appendix IV.

From this preliminary review grew one particularly important recommendation dealing in detail with police education in Atlanta. The suggestions made to the Atlanta Committee by the Washington staff concerning the education of police in the city of Atlanta were set out in a memorandum of April 6, attached as Appendix V. The major suggestion made was for the utilization of the police-community relations manual prepared by Lawyers' Committee consultants, specifically that section dealing with inter-group relations training. This section of the manual, as revised, was previously submitted to OLEA in the third Quarterly Report of the Lawyers' Committee.

Findings of Staff Study

The staff reports stated that the police department's community-relations work is centered in its Crime Prevention Bureau, which was created on January 3, 1966 under the supervision of Captain Morris Redding. Duties of bureau personnel as Captain Redding explained them are as follows:

Maintain a system of preventive patrol to check amusement places, parks, restaurants, pool rooms, dance halls, and any mass social or athletic events scheduled in the area.

Investigate conditions which would be hazardous to the health and welfare of the citizens of the community.

Establish and maintain general information about persons known to police who reside in their areas and who might be engaged in any criminal activities.

Advise his superior officer of any activities and conditions which should be checked by the patrol and detective divisions of the department.

Work together with interested persons in similar community programs for the purpose of reducing conditions and causes which tend to create delinquency and criminal situations.

A group of officers within the bureau has been assigned to work closely with the poverty centers of Atlanta's Community Action Program, Economic Opportunity Atlanta. These officers have begun to provide many social services which are not included in the traditional definition of the police function. This non-structured program has had unique results and is highly motivated and includes:

1. Informing residents of an Aldermanic Police Committee as an avenue of complaint against the police department.
2. Accepting police complaints on an informal basis from community residents. In a number of specific incidents, Negro residents have gone to the Community Service Officers with a complaint of police brutality on the part of white officers. This is an unusual phenomenon in that citizens with complaints usually lack the confidence to complain to police officers about other police officers' brutality.
3. Community Service Officers are receiving voluntary unsolicited reports of criminal activity on which they have been able to act and to obtain arrests. In one instance a young Negro boy who is familiar with a Community Service Officer persuaded a thief to give himself up to the Community Service Officer, while warning him not to talk to a white officer because he would be beaten. A number of similar incidents were reported and this seems to point in the direction of the unit's effectiveness.
4. Community Service Officers are called upon to give speeches and carry on discussions as to the role of the police in schools and churches and with community organizations.

5. Community Service Officers in several reported cases have actually located jobs for children in the neighborhood.

6. The Community Service Officer is acting as a recreation technician in the place of the EOA recreation technicians who have been displaced by the lack of OEA funds. Aside from organizing and participating in sport activities, they are also equipped with fire hydrant sprinklers which they will distribute throughout target area neighborhoods this summer.

7. The Community Service Officers attempt to get people to take pride in their neighborhoods by encouraging them in beautification campaigns. The Officers give speeches to tenant groups and will even speak personally to those with litter on their property as to the possibilities of cleaning it up.

8. The Community Service Officers attempt to educate people as to the role of the police. In one instance, we were stopped on the street by a Negro woman who thanked the officer with me for attending a school play the night before. He had done this on his own time and apparently she was most pleased. Certainly this presents a different picture of the police then that which is generally seen these days.

9. Two police station wagons are equipped with phonographs and sound systems to provide street dances for teenagers.

Seven officers work closely with the EOA staff. Each has a private office at the Poverty Center to which he is assigned. Each regularly attends staff meetings at that center, though he remains under the control and supervision of the department.

The officers responsible for the EOA centers appear to be very effective in gaining the acceptance and trust of the community. However, the community's attitudes towards these officers does not appear to extend to the police department as a whole.

The staff recommended that the Bureau be enlarged, and that higher ranking officers be assigned to it to realize its considerable potential. At the present time, the bureau consists of a captain, lieutenant, sergeant, seven detectives, and 42 patrolmen. Of these, 17 are Negro. The Atlanta Committee's Executive Director recently commented that:

"The crime prevention bureau is used as a training ground for new recruits. After a new recruit is signed up and before he begins formal training, he is assigned to the bureau, where he remains from anywhere between two to six months. During that time he is assigned to a regular patrolman and they conduct their duties together. It is thought that this will be a program which will make a tremendous impression upon the young recruits who will then carry forward into their regular police work an increased appreciation for the problems and opportunities in police-community relations. So far as I can determine, in each present circumstance, a Negro recruit is assigned to a white regular patrolman or vice versa...many of the police recruits after they complete their training program make requests to come back to the bureau. Unfortunately, most of these requests cannot be granted..."

The local committee staff made a study of bail bond and court procedures. It found that persons arrested by police often were unaware of how to contact bondsmen to secure their release pending trial. Moreover, since no one is available to collect fines on weekends, those who cannot afford bail must spend the weekend in jail, even for minor offenses. If an individual awaiting a hearing in one of Fulton County's municipal courts is unable to post bond, he must wait up to six days for the regular weekly hearing to take place. There is also a system whereby a prisoner, already under bond, must secure a second bond if his case moves to a higher court.

Arrest Pamphlet

In May, the Executive Committee of the Atlanta Bar Association sent Messrs. Fuller and Cowan of the Atlanta committee to Washington to attend a conference on crime control. While in Washington, they met with members of the Executive Committee of the Lawyers' Committee, members of the other local committees, a representative of OLEA, and Judge Murray Goodman of the Municipal Court of Miami Beach, Florida. (The Lawyers' Committee independently of the OLEA program, had produced a bilingual pamphlet explaining arrestee's rights in cooperation with Judge Goodman and Police Chief Rocky Pomerance.)

Upon their return to Atlanta, the committee decided to produce its own version of the pamphlet that had been published by the Lawyers' Committee in Miami Beach. The pamphlet outlines exactly what happens to an arrested person as he passed through places of detention and the courts. This document serves not only as a guide to the accused but, where improper or markedly inefficient procedures were discovered during preparation, it acted as a spur to reform.

To gather accurate, detailed information for such a publication in Atlanta, the Atlanta committee hired two Emory law students to undertake research. When this was completed, the publication, entitled "Arrested? What Next?" was written by the Atlanta staff and 5,000 copies were distributed to members of the bar, local officials, and to inmates of the Atlanta and Fulton County jails and stockade. (Twenty-five copies of this pamphlet are attached as Booklet III.)

"Arrested? What Next?" is intended as a pilot project for Atlanta, in that only some 5,000 copies have been produced. (There are 82,000 arrests per year in Atlanta.) As with the Miami Beach experiment, the Police Department has agreed to make distribution to arrested persons and, as with that other experiment, the local Committee has decided to hold a conference in an effort to revamp the text in an even more advanced and enlightened form so as to incorporate the greatest amount of court and jail reform possible. A survey of reactions to the booklet is being conducted and a report will be prepared by the Atlanta Committee's Executive Director, his staff and a doctoral candidate from Georgia State College.

This survey and the re-published booklet will be submitted to OLEA when the project is completed in Atlanta.

Local Staff Activities

Hilton Fuller, the Executive Director of the Atlanta Committee attended a week long police-community relations workshop held at Georgia Center for Continuing Education. The workshop not only broadened Mr. Fuller's knowledge of problems in the police-community relations field but also expanded his personal contacts. Subsequent to the workshop Mr. Fuller was able to draw upon the experiences of people in New Orleans and other cities in Georgia for ideas and new concepts in police-community relations. Mr. Fuller also attended the Crime Control Conference as a guest of the Lawyers' Committee. As a

result of the workshop and attendance at the Crime Control Conference, Mr. Fuller was more able to deal adequately with the task ahead, to design new projects and to bring them to fruition. Even more than this, he has been able to design a far-reaching program which is being carved out in Atlanta.

In July Mr. Fuller, William Spann, Chairman of the Committee, William Cowan and State Senator Horace Ward participated in the Lawyers' Committee Planning Session held at the Washington Hilton.

Two Emory University law students were employed for a ten-week period during the summer and succeeded in compiling a great deal of valuable information which went into the creation of concrete and tangible projects. They primarily served as research assistants to Mr. Fuller, in gathering information for the publication of "Arrested? What Next?".

In carrying out this task, and under the guidance of both the Executive Director and the Washington staff, they developed a memorandum detailing lower court and jail procedures in the city of Atlanta. To this memorandum they appended a number of innovative recommendations for change in the system. The memorandum, being a technical document and far more comprehensive than the booklet, was treated separately from "Arrested? What Next?".

As revised, it became a Report on the Structures and Procedures of the Police Department, the Municipal Court, the Criminal Court of Fulton County, and the Fulton County Prison (Attached as Appendix VI).

The report makes a number of specific suggestions for reforms, was adopted by the local committee and submitted to the Executive Committee of the Atlanta Bar Association. The Association has authorized its release to public officials concerned with law enforcement and the administration of justice.

Alcoholism Project

The local committee staff also explored the possibility of a full-scale alcoholic rehabilitation project for the city of Atlanta. The judges on the committee had noted that they were moving in the direction of adopting the decision in the Easter and Driver cases that chronic alcoholism is a defense to an arrestee on a charge of public drunkenness. The President's Commission on Law Enforcement and the Administration of Justice had brought out the fact that more than half of all the arrests made in metropolitan Atlanta involve drunkenness. After discussing the matter with Peter Hutt, the attorney who had won the Easter decision, a member of the Lawyers' Committee staff went to Atlanta to work with the local committee. He reported back as follows:

"I believed at first that the way to deal with this problem was to certify persons as being chronic alcoholics so that they could be released onto the streets by the municipal courts, and Judge Little indicated that he would take such action in cases where the defendant was not in imminent physical danger. However, he considers himself unable to make such judgments and wishes to place the responsibility onto the medical profession. The problem is of gigantic proportions in that on a typical weekend some 350-400 persons are incarcerated in the Atlanta

jail on charges of public drunkenness. I visited with Dr. Alford, the Director of the Emory Alcoholic Rehabilitation Project to discuss his possible involvement.

"Dr. Alford clearly indicated that it might take the release of large numbers of alcoholics and possibly even death of some to get the community to act.

"Dr. Alford carefully outlined a concept which I believe has merit: Any person drunk enough to be arrested and therefore manifesting the symptoms of acute alcohol poisoning or acute alcoholic inebriation should never, in any instance, be taken to a jail, but rather should be taken to a medical facility. He drew the analogy of a man who is injured while committing a crime, pointing out that such a person would first be taken to a hospital for treatment and then later when cured, he would be incarcerated. Similarly, a drunk should be taken to a medical facility to be treated for his acute intoxication and then later on a judgment should be made as to whether he is a chronic alcoholic and therefore not amenable to criminal sanction. This type of thinking, of course, should influence any project undertaken. Dr. Alford's unit is currently funded by the Federal government for the screening of 2500 persons per year, and the treatment of 600 who meet the criteria."

The staff recommended the utility of such a program. A grant has since been received by the Atlanta Metropolitan Commission on Crime and Juvenile Delinquency to prepare plans for such an alcoholism treatment and rehabilitation program and the local committee has offered its services and assistance to the Commission.

Liaison Conference

The staff also suggested a liaison conference between organizations dealing with police-community relations in the city of Atlanta. A member of the Washington staff, following an on-site visit to Atlanta, drew up a

list of supporting civilian agencies. This list was in large part presented to the Atlanta Committee by the Chief of Police. These agencies are all working in the area of police-community relations.

It has been felt now for some time that if these agencies could all be made aware of what each is doing or what each hopes to do, a unified effort could be achieved which would be of great profit to the police-community relations endeavor in the city. With this in mind, a meeting was called and chaired by the Executive Director of the local Lawyers' Committee. The parties invited to attend the meeting exceeded the scope of the initial list of civilian supporting agencies as an attempt was made to bring in all interested parties even though not necessarily on the list. The following organizations were represented:

- ACLU of Georgia
- Atlanta Friends Service Committee
- Atlanta Jewish Committee, Southeast Region
- Atlanta Social Health Association, Southeast Region
- Anti-Defamation League, Southern Office
- Atlanta Children and Youth Service Council
- Atlanta Traffic and Safety Council
- Community Relations Commission of Atlanta
- Council on Human Relations of Greater Atlanta
- Emory Community Legal Service Center
- Metropolitan Atlanta Commission on Crime and Juvenile Delinquency
- Metropolitan Grass Roots Council
- Southern Regional Council
- Urban League of Atlanta

This heralds the beginning of a continuing dialogue among such organizations; something completely unique for the city of Atlanta and which hopefully will bring about a more coordinate approach in solving the problems of police-community relations.

The Executive Director is now meeting continuously with representatives of the organizations on an individual and informal basis in an effort to maximize this coordination.

Pending and Future Activities

The Atlanta committee obtained approval of four projects by the Executive Committee of the Atlanta Bar Association. These projects are:

(1) A proposed study of the operation of the bail-bond system in the criminal courts of Atlanta and Fulton County to include recommendations for reform. The Committee said that the bail-bond system is "one of those procedures in our society which seems inherently subject to abuse. Unless closely supervised, matters of bail-bonds become subject to various unsavory political and economic interests. To even the casual observer it is obvious that the present system of bail-bonds in metropolitan Atlanta needs thorough and sifting review.

"There are examples known to all of us which indicate that we may be conscious of only the top of the iceberg in our understanding of how the system works in the Atlanta area. At best, terrible hardships unrelated to the basic purposes of bail-bonds are worked upon individuals who become subject to the system; at worst, conditions exists favorable to corruption and organized crime.

"It is proposed that the Committee conduct an in-depth study of existing bail-bond proceedings with a view toward drafting such reforms as are thought necessary and instituting the machinery necessary to secure adoption of those reforms."

(2) Presentation to the city government of a comprehensive plan for the expansion of the community-relations operations of the Crime Prevention Bureau of Atlanta Police Department. The committee stated that "the need for improved police-community relations was again dramatically demonstrated in Atlanta and elsewhere this summer. In many areas of

the nation, police departments themselves are attempting to meet this need by use of police-community relations squads or divisions. Happily, Atlanta is one of these... This is a worthwhile program and it appears to us that this bureau should be given even more if it is to fully meet the needs of the community."

"The range of activities in which this Bureau could engage is limited only by our imagination. Comparable departments of other metropolitan police departments are engaging in activities as varied as conducting self-defense classes for women and conducting athletic programs for youngsters.

"It is our feeling that at present the Crime Prevention Bureau is doing an excellent job with the limited resources available to it. Additional study would reveal whether there is a need for expanded activities and, if so, how they might be instituted."

(3) Development of an educational program in police-community relations for use in the public schools. The committee pointed out "that if long-term improvement in police-community relations is to be realized, a correct and proper attitude toward police must be developed at an early age. Too many youths in all economic brackets grow up thinking of a member of the police department as an enemy rather than a friend.

"It is recommended that the committee explore with the Atlanta Board of Education the feasibility of instituting a program in the public schools which would attempt to instill in school children a proper respect for the police as the preservers of law and order. Such a program might make use of the educational television network."

(4) The publication of a Directory of Community Services for the use of the police and other public officials in meeting calls for assistance that are outside the normal scope of law enforcement officers.

The two Emory University law students, working under the guidance of the Executive Director had already prepared a guide to community services for use by the police. Although there is today a general comprehensive and detailed guide to such services published by the Community Council of Atlanta

for use in the city of Atlanta, it is bulky and contains extensive detail that renders it neither portable nor susceptible for ready use by the general public. Therefore, in developing this particular guide, an attempt was made to achieve the utmost brevity and simplicity. A cross indexing system was developed to facilitate its use so that a policeman happening upon a person involved in a social problem, not necessarily meriting the exercise of his police or arrest powers, could refer the individual to the available service. At the same time, he might give the person a copy of the guide itself.

In the memorandum recommending publication of "a directory of community services to be distributed to the Atlanta police," research assistant P. Harris Hines points out that approximately 250 questionnaires were distributed to police officers in an effort to pinpoint those problems in which the community most often requires assistance. Of those 250 questionnaires, 53 were returned to the local committee. Based on this, as well as other information, a determination was made of the problems that were most important to deal within such a guide (Attached as appendix VII.)

The Committee reported to the Bar that, to most citizens, "the individual police officer is the only link to our municipal government. The individual policeman and the police department itself spend a considerable amount of time answering, or attempting to answer, questions which do not directly concern police work. In many cases, a person will obviously have a problem which should be referred to another local agency but the police officer whose assistance is sought will have no idea as to what he should tell the individual concerning the proper agency."

On October 26, the Executive Committee of the Atlanta Bar Association gave its approval to all four projects and the committee is therefore free to seek outside funding. Applications to private foundations have been drafted and submitted.

The Atlanta Committee, under the direction of its Executive Director, is contemplating and planning to undertake a number of other imaginative programs. An interesting study on the feasibility of undertaking a police cadet program has been conducted by research assistant, Robert C. Young. That memorandum is attached to this report as Appendix VIII.

Another interesting idea is the establishment of a police foundation patterned after that now in operation in the city of New Orleans. Basically, this foundation would, through the utilization of private funds, provide scholarships for policemen interested in doing advanced college work. It may be expanded to operate in other areas such as providing a pool of funds upon which the Police Department may draw in order to conduct appropriate community relations programs.

Without doubt, Atlanta must be considered in the forefront insofar as mobilization of its local committee is concerned. The amount of personal involvement and commitment to the ideals of the project on the part of the local committee members is clearly reflected in their willingness to actively participate in projects sponsored by the committee.

This goes far beyond mere attendance of committee meetings. For example, Mr. Fuller has expressed a desire to make an on-site visit, together with some of the committee members, to another city's on-going police-community relations project. The committee has unanimously agreed with this idea.

Four of the Committee's members as well as the Executive Director participated in a meeting conducted by Scientific Resources, Inc. dealing with the improvement of police-community relations in Atlanta. A memorandum, listing those in attendance as well as detailing the substantive part of the meeting is attached as Appendix IX.

At the local Lawyers' Committee meeting of September 7, the Executive Director presented a comprehensive budget to run from June 15, 1967 through September 15, 1968 for the conduct of the Atlanta Police-Community Relations Committee Project. Specific grant applications are now being drawn up by the Executive Director for submission to local foundations in the hope that sufficient funds can be raised to meet these requirements. It is significant to note that funds for this program have been requested from the Atlanta Bar Foundation and we are fully confident that such funding will be forthcoming. If this does occur, it will place the Atlanta Bar Association in the position of directly supporting the improvement of police-community relations through dynamic programs funded and operated locally. This, of course, was the objective of the Lawyers' Committee demonstration project and the objective of the OLEA grant 067.

Based on the momentum gained to date through projects already initiated and brought to fruition and through projects now in the planning and/or development stage, together with the mobilization of local institutions and the intense interest displayed by members of the local committee, the Atlanta Police-Community Relations Demonstration Project holds forth a promise to deal effectively and in a sophisticated fashion with its police and community problems.

SEATTLE

Seattle, Washington, was mentioned in the Lawyers' Committee's grant application as a probable selection as a project city for the police-community relations program. The attitude of the organized bar towards problems of police-community relations that the city faced was, in general, unknown, although the Lawyers' Committee had received some encouragement through personal contacts with individual attorneys in Seattle.

Seattle, multi-racial in composition and international in its business affairs, has essentially the same police-community relations problems as many other cities, though perhaps less exacerbated than tensions in larger cities with higher proportions of non-white population. Although the Negro population is relatively small (approximately 7 per cent), it is rapidly growing, and there has been tension between the police and minority citizens.

Mayor J. D. Braman, Police Chief F. C. Ramon, and then Human Relations Commission Chairman Alfred Westberg, met shortly after learning of the institution of the police-community relations project and unanimously asked that it enter Seattle.

On September 16, 1966, Mr. Seymour of the Lawyers' Committee requested that the Seattle-King County Bar Association undertake the sponsorship of the local police-community relations project "in full cooperation with the police and other city authorities...with no effort to obtain publicity...".

Willard Wright, president of the association, responded favorably to the suggestion and designated the Bar Association's Law Enforcement Committee as the sponsoring body. That Committee had been established because in January of 1966, Kenneth Short, then President of the Seattle-King County Bar Association, proposed to the trustees of the association the creation of

"a blue ribbon committee of top quality lawyers to act as a liaison committee with the police department, sheriff's office and other law enforcement agencies to aid those agencies in the enforcement of law and order without infringing upon the constitutional rights of citizens."

Pending organization of the local lawyers' committee, the national Committee was called on in a number of instances for advice and consultation. Particularly important was consultation given William Leckenby, Chairman of the Seattle Human Rights Commission, in dealing with the "Lincoln incident," which involved the fatal shooting of a Negro youth by a policeman.

The Seattle-King County Bar Association's Law Enforcement Committee served as the base for the formation of a newly conceived lawyers' police-community relations committee. Burroughs B. Anderson, Esquire, of the law firm Holman, Marion, Perkins, Cole and Stone, accepted the Chairmanship and immediately began to chart the Committee's new course.

Serving under Mr. Anderson as members of the Committee are Frank J. Eberharter, George V. Powell, Richard H. Riddell, John N. Rupp, Alfred J. Schweppe, Kenneth P. Short, and Liem Eng Tuai, all attorneys

in private practice; and Judge Charles Z. Smith of the Superior Court for King County.

The Seattle Committee concluded that before they could approve any meaningful projects, a thorough study of police and community within the city would be required, something never before undertaken in that city. The proposed study would cover the entire spectrum of law enforcement in Seattle as it related to police-community relations. It would deal with police recruitment, police training, police internal controls, police regulations concerning the use of firearms, police complaint procedures, enforcement practices concerning local ordinances, court procedures, relations between police and other government and social service agencies, and activities of the Seattle Police Department's Community Relations Unit.

To aid the local Lawyers' Committee in undertaking this study, an Advisory Council was formed comprising persons knowledgeable as to the problems of Seattle's minority communities. The committee appointed the following members; David H. Gronewold, professor of social work, University of Washington; Frank W. Hanawalt, high school principal; Rex Jones, Executive Director, Seattle Opportunities Industrialization Center; Brennan L. King, high school teacher and coach; Reuben Label, pawnbroker and founder of the First Avenue Community Center; Arthur J. Louis, restaurateur; A. L. Newbould, Corporation Counsel, City of Seattle; Edwin T. Pratt, Executive Director, Seattle Urban League; Dr. Terrance M. Toda, optometrist; and Andrew J. Young, President, Seattle

Branch, NAACP.

Pending employment of local staff, members of the Lawyers' Committee staff returned to Seattle and initiated discussions with persons concerned with the problem. Meetings were held with leaders of the Negro community, members of the police force, officials of the city government and other knowledgeable observers of Seattle's racial situation.

As a result of these discussions, a detailed memorandum was prepared outlining six particularly crucial areas. The memorandum dealt with training, the Community Relations Unit of the Police Department, public relations, complaint procedures, police practices and recruitment. A copy of that memorandum is attached as Appendix X.

To summarize, the report stated as follows:

1. The human relations training given to recruits and members of the police force needed improvement. A more highly structured curriculum dealing with crowd behavior and racial tensions was proposed in lieu of the relatively unorganized "guest lecturer" approach then in use.

2. Members of the Community Relations Unit of the Seattle Police Department should be given a brief but sophisticated training program detailing concepts and ideas developed in other police-community relations programs throughout the United States. The unit was established two years ago for the purpose of "developing and maintaining meaningful lines of communication with all segments of the community and for aiding in the expansion of knowledge regarding group attitudes and human relationships."

3. As in many cities, minority residents exhibited considerable hostility toward the police, but in Seattle the overtness of this hostility--if not the hostility itself--is of a recent vintage. For this reason, a stronger public relations effort was recommended and was viewed as more promising than comparable efforts in cities having a long history of racial conflict.

4. Improvement was needed in the receipt and orderly disposition of complaints about the police. At the time, complaints were channeled to the Chief of Police, who would then appoint an ad hoc committee of policemen to investigate the complaint. This did not encourage the submission of complaints.

5. A recruiting drive, conducted with the assistance of professional recruiters from local industry, should be directed at the minority community. Difficulties in Negro recruitment stemmed from both hostility toward the police and competition from industry.

6. A detailed study of police practices--such as the use of firearms by off-duty officers--impinging upon police-community relations was needed.

On May 12th and 13th, Mr. Anderson attended the Lawyers' Conference on Crime Control in Washington and a meeting with Lawyers' Committee members and committee members from other project cities. This meeting has been described elsewhere in this report.

The Executive Director employed to carry forward the work of the

Committee is Mrs. Linda Rodgers, former Associate in Law, Columbia Law School, and assistant to Professor Herbert Wechsler, Harlan Fiske Stone Professor of Constitutional Law, criminal law, Chief Reporter for the model Penal Code, and Director of the American Law Institute. In preparation for the police-community relations work, Mrs. Rodgers attended the July 17th Planning Session of the national Committee, held in Washington, D.C. and devoted to the role of the lawyer in police-community relations. Mr. Kenneth Short and Mr. Liem Tuai of the Seattle Committee, also attended the planning session. Accompanying them was Captain George Fuller, formerly in charge of the Seattle Police-Community Relations Unit, who represented the Seattle Police Department at the meeting."

The Washington office continued to advise the new Executive Director and the Seattle Committee in the area of police-community relations. Their assistance included the stocking of a small library of publications in the field: The President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society (1967), and the various Task Force Reports of that Commission; the Lohman-Misner recommendations; the report of the Atlanta Commission on Crime and Juvenile Delinquency; and Gellhorn, When Americans Complain (1966).

Two members of the Washington staff visited Seattle to further aid Mrs. Rodgers in her work. She joined the Washington staff members in conferences with Mr. Robert Ashley of the Neighborhood Legal Services

Centers (who had also agreed to provide Mrs. Rodgers with office space); members of the Community Relations Unit of the Police Department; Lt. Donald Maloney, the officer in charge of training and recruiting for the Seattle Police; officials from the Central Area Motivation Program (CAMP) (one of Seattle's major poverty programs); and Mr. Phil Hayasaka, Director of the Seattle Human Rights Commission.

Committee Activities

Since August, Mrs. Rodgers has been reviewing the Seattle Police regulations, meeting with the Community Relations Unit on a regular basis, and meeting with members of the Advisory Council to the local Committee, both individually, in Advisory Council Meetings, and in joint Advisory Council-Law Enforcement Committee meetings. She has been working closely with all elements of the community--with persons who represent the entire spectrum of community attitudes toward law enforcement.

Mrs. Rodgers' associations with the "grass roots young people," for example, are through several sources. First, she has attended many meetings of the CAMP Teen Council and planned the program for two of these meetings. (At one meeting, Reuben Label and two narcotics addicts from First Avenue spoke to the teenagers on the dangers of drug abuse. At the second meeting, Councilman Sam Smith presented his youth patrol proposal and answered questions about the plan.) The CAMP "Teen House" is open to everyone, and Mrs. Rodgers and Mrs. Carson (her part-time

assistant) often shoot pool with the young people after school.

Another community organization that provides communication with the young people is the Garfield Community Council, a group that meets monthly for lunch and has for several meetings invited different panels of high school students to discuss what they perceive to be their principal problems. Each panelist is assigned to sit at a different table so that the adults present will be able to get acquainted with at least one teenager.

The person that is most difficult to reach is the "young, black militant," but the Seattle Committee has, at least partially, succeeded in establishing several contacts with S.N.C.C. members (S.N.C.C. is the dominant black power group) and, we believe, in gaining some measure of trust. Mrs. Rodgers aided in the defense of two S.N.C.C. members charged with crimes and persuaded the S.N.C.C. representatives to testify before the City Council hearings on the question of the youth patrol.

Another very important resource is Mrs. Carson, whose husband is the president of C.O.R.E. Mrs. Carson, in her role as Preventive Law Aide for Legal Services, attends many meetings and then reports to Mrs. Rodgers.

The Committee's other associations, including those civil rights groups and individuals that are more moderate, are too numerous to detail.

After her initial research and analysis, Mrs. Rodgers presented

the committee with two alternative methods of procedure: (1) the preparation of an in-depth study patterned upon the Field Surveys IV: The Police and the Community, prepared for the President's Commission on Law Enforcement and Administration of Justice, and to include (or consist of) extensive recommendations for reform, or (2) the preparation of such a study, coupled with immediate efforts for reform in specific areas as they came to the attention of the committee.

The Seattle Committee chose the second course and determined, in addition, that the project should be pursued on four levels. (1) Areas for long-range study and possible eventual action. The major issue falling into this category is whether Seattle should have an ombudsman, a question that will be further developed below. (2) Areas for immediate action. This category includes recruitment of minority officers, criminal law revision, and possible expansion of the Community Relations Unit. (3) Supportive action. The Council and the Committee endorsed the idea that there would be certain proposals related to police-community relations but emanating from other sources, proposals that would benefit by public support by the Bar Association. One example of such an issue is the youth patrol, a project initiated by City Councilman Sam Smith. See infra. (4) Proposals for inclusion in final report. Because of limited time and resources, many needed reforms cannot be actively pursued. These proposals the Committee will simply include in a final written report; such issues as the police legal adviser, qualifications of police officers,

store-front station houses, police training and education, lateral entry, and promotional examinations will be treated.

Municipal Criminal Code Revision. The Law Enforcement Committee, with the cooperation and active assistance of the Corporation Counsel, A. L. Newbould, determined that the Municipal Criminal Code was anachronistic and badly in need of comprehensive revision. Many laws themselves create poor police-community relations, if only because the public sometimes blames unpopular laws on those who enforce them. (This is not to say, of course, that a law is undesirable simply because it is unpopular.) And other laws, because of their broad, vague phraseology, open the door for the exercise of police discretion so broad that relations with the community inevitably suffer. The Committee therefore unanimously resolved (See Resolution, Appendix XI) that the Bar Association "undertake the sponsorship of a city-financed program designed to produce an up-to-date, modern criminal code for municipal offenses...." The Board of Trustees likewise approved the project and formally communicated the Association's offer to the Corporation Counsel, who, in turn, notified the Office of the Mayor. Upon the Mayor's recommendation, the City Council has recommended approval of the Mayor's request that the Seattle-King County Bar Association undertake the municipal criminal code revision. Burroughs B. Anderson, Esquire, and Murray B. Guterson, Esquire, have been appointed by the Bar Association to negotiate the terms of the contract with the City. The initial appropriation of \$5000 will go to determine the proper nature

and scope of a city criminal code. This revision project, we believe, has historical significance. The project may be the first of its kind undertaken by any major city. Suggestions are being considered that Seattle begin from scratch and build a new criminal code limited to crimes peculiar to the city; thus, there would be no duplication of any crimes defined in the state criminal code. At the other extreme, it has been suggested that the city code include all crimes peculiar to the city, but include, as well, a complete duplication of the state statutes defining crimes as serious as gross misdemeanors. Because the project could serve as a model for other cities, the Bar Association and the Corporation Counsel have together sought the assistance of the Attorney General of the United States in formulating this basic definition. Officials on the state and municipal levels are likewise being consulted, and Mr. Anderson, Mr. Newbould, and Mrs. Rodgers have been requested to appear before the next meeting of the Washington Judicial Council.

Because of the Committee's unique role in this endeavor, it will be able to exercise some degree of control over the eventual formulation of the new statutes. Conceivably, criminal procedure, as well as the substantive law, will be included within the scope of the revision. Thus, such matters as bail reform, provision of counsel for indigent misdemeanants, procedures involving material witnesses, holding suspects "for investigation," and the like will be within the province of the task. Even if the revision is entirely substantive, the following matters vital

to the concern of police-community relations will be within the area of reform: use of deadly force (by police officers and citizens alike), drunkenness, prostitution, narcotics, gambling, "disturbing the peace," and loitering.

Grievance Procedures. The Seattle Police Department has no formal unit or board for handling disputes or complaints against personnel. Virtually any police officer may receive a complaint, which is to be channeled to the Chief, who "may" direct "that an investigation be made by the Deputy Chief of the Division concerned or by the Deputy Chief of Staff" if the complaint is determined to be of a nature or magnitude requiring more concern than that of the individual's immediate commanding officer."

Seattle Police Department Manual, § 2.01.440. The Manual provides that a copy of the final report regarding disposition of the complaint be filed with the Deputy Chief of Staff, but no provision is made for notifying the complainant.

Mrs. Rodgers--speaking without the support of the Committee, which has not considered the question except in its direction "that the matter should be studied"--believes that Seattle would benefit from a grievance procedure patterned after the ombudsman but with some variation. Mr. Anderson has suggested the possibility that the state Administrative Procedure Act is applicable to city agencies. In the alternative, the City Council could be requested simply to pass an administrative procedure act for Seattle. This would allow the private attorney to appeal adminis-

trative determinations for purposes of judicial review, and, perforce, would allow the Bar Association to establish its own ombudsman. This idea had one important advantage: it would allow the individual agency, including the Police Department, to make its own investigation and its own determination of disciplinary action, if indicated; department autonomy would thus prevail, leaving only the essential correctness of the decision open to scrutiny by an external institution. The idea also had one important failing: the fact that initial complaints would be made to the agency removes a major store of information from the ombudsman. He would lose his broad over-view--the picture that is painted by the pattern of the complaints themselves. Consequently, Mrs. Rodgers proposes that the ombudsman should be given the initial task of processing complainants. This stage would include assisting them to draw up their complaints in proper form, and, more important, would allow the ombudsman to screen out frivolous complaints or explain to the complainant why, on the basis of the complainant's own facts, the agency acted properly. Complainants who passed the screening stage would then be directed to the proper authority for the actual submission of the complaint. (It is surprising how frequently a person will complain to an agency with no jurisdiction over the problem. For example, the Police Department receives many complaints about such matters as traffic signs, an area served by the City Engineer.)

After the complainant has "exhausted his administrative remedies," if still unsatisfied, he would be able to return to the ombudsman for review.

At this stage, too, discretion could be invoked in the decision whether or not the case should be appealed. If the ombudsman determined to appeal, of course, the eventual resolution of the case would be made by the courts. If the ombudsman determined not to appeal, the complainant would have recourse--at his own expense--to private attorneys, for the nature of the statutory remedy is the typical administrative procedure act.

The Committee's Role as "Police Legal Advisor." The Committee has, at times, functioned as a legal advisor to the Chief of Police, and Mrs. Rodgers has worked with Charles Nelson, the Assistant Corporation Counsel assigned to the Police Department, on several legal problems relating to the department. Mrs. Rodgers has been asked to assist in (1) drafting new legislation on prostitution; (2) defining a role for police in landlord-tenant and domestic relations disputes, (3) drafting a statute authorizing the issuance of warrants to search for "mere evidence," and (4) determining the constitutionality of a city ordinance (proposed) allowing arrests for misdemeanors on probable cause.

The attorneys at the Seattle Legal Services Centers have advocated that police be given the right to arrest where there is probable cause to believe that the safety of one party to a domestic dispute is in serious jeopardy. Professors of the University of Washington Law School and Dean Joseph Lohman of the University of California have been asked for comments on the issue.

Chief Ramon has recently requested the Committee to consider a

set of proposed state statutes affecting the department and to give public or private endorsement to any or all of the following measures: (1) That a police officer be given the authority to issue misdemeanor citations at an accident scene on the basis of probable cause. (2) That judicial authority to issue search warrants be expanded to allow the issuance of warrants to search for instrumentalities of crime, "mere evidence" of crime, and property the possession of which is a crime. (3) That police officers be granted the authority to hold transient material witnesses to any criminal offense in custody at a predetermined bail schedule or until the session of court following custody. (4) That police officers be granted the power to arrest for misdemeanors on the basis of probable cause. (5) That the seller of a motor vehicle be required to notify the Department of Motor Vehicles in writing within 48 hours of the sale, of the name and address of the purchaser. (This law would save "thousands of police man-hours" spent in investigating ownership of automobiles involved in accidents and "thousands of sales tax dollars," according to Chief Ramon.) (6) That the state be permitted to appeal from an order suppressing evidence, the substantive effect of which is to dismiss the information. (7) That a defendant be required to file notice of an alibi defense. (8) That procedural rules enunciated by the Washington Supreme Court allowing the detention of persons arrested on suspicion of a felony to "permit a reasonable police investigation" be clarified by statute providing for a period that is both "reasonably short and precisely limited."

(9) That the department be permitted to record incoming telephone calls on emergency lines and to record the interrogations and confessions of prisoners. (There is presently on the books a statute making it a crime to, inter alia, record electronically any telephone call or conversation without first obtaining the consent of all participants in the communication). (10) That the sale of short firearms be somewhat restricted, possibly providing for registration and a 48-hour waiting period between the application for the weapon and its transfer to the purchaser. (11) That either an "implied consent" law (the motorist by driving implies consent to a chemical test for alcohol) be passed, accompanied by a reduction of the presumptive level of alcohol necessary for conviction from .15% to .10%, or the present chemical testing law be amended to remove the right of the inebriated motorist to refuse to submit to the chemical test. (12) That when a person on military leave from the Police Department voluntarily elects to extend his military obligation, he then loses his right to be reinstated in his position with the department (or presumably, any other governmental agency).

The Committee has not yet studied these proposals and may decline the consideration of several on grounds that their relevance to police-community relations is slight; the Committee may, however, examine each issue on the merits and offer suggestions for improvement or unqualified endorsement.

Recruitment of Minority Police Officers. One suggestion that the

Committee considered highly desirable and relatively feasible was the recruitment of Negro police officers. What initially prompted this interest in recruitment was the Natalie Memorandum (January 11, 1967) (Attached as Appendix X), which included a statement that the "Mayor and the Chief are interested in the recruitment of qualified Negroes," but that such recruitment "has been notoriously unsuccessful." The lack of success is a matter of degree, and the explanation is a lack of time, money, manpower, and professional public relations talents that would be necessary to accomplish this enormously difficult task. Even with a concentrated program, of course, "success" would necessarily be limited because most Negroes simply do not wish to become policemen; in addition, those Negroes who would qualify are often able to obtain better-paying, more attractive (to them) alternatives. This "more attractive alternatives" problem, prevalent throughout the nation, is particularly acute in Seattle because of the Boeing boom. One compensating factor, however, is the recent budget proposal of the Mayor which succeeded in raising the starting salary of police officers to \$8040 per year.

The most encouraging recruitment opportunity--on paper, at least--is the Defense Department's directive conceived by the Lawyers' Committee and allowing a man's release from his military obligation up to 90 days early if he has accepted a law enforcement position. On February 2nd, Mrs. Rodgers traveled to Ft. Lewis, the largest military installation in the State of Washington, in order to determine what

possibilities were available for recruiting Negroes and to learn, in addition, what steps the city had taken in this regard. The Civil Service Commission the preceding day, had made a tentative reservation of the theater in order to make a recruitment appeal. The Command Information Officer discussed the question of publicity and stated that the fact Seattle needs Negro officers could be emphasized in the newspaper articles, both in the locals and the Ft. Lewis paper.

When she returned to Seattle, Mrs. Rodgers met with Chief Ramon to discuss recruitment at Ft. Lewis. The Chief was enthusiastic and promised to get a letter off to the Command Information Officer giving him the needed quotation to the effect that Seattle was in need of "qualified Negro officers." He then telephoned Civil Service and made definite arrangements for the 16th, stating that he would make the trip himself.

Mrs. Rodgers accompanied Chief Ramon and Mr. Cquist of Civil Service to Ft. Lewis. Thirty-nine men appeared, including six Negroes. The Chief emphasized that Seattle's hiring policies are "color blind," and of the Negroes there, two remained after the program to obtain application forms.

The Committee is satisfied that a wider recruitment effort is possible. (See National Observer clipping, Appendix XII.) It has obtained an enthusiastic commitment from retired Lt. Col. John Cannon, a Negro, to make another recruitment appeal to Negroes at Ft. Lewis. Burroughs

Anderson and Mrs. Rodgers have made an appointment with the Mayor to discuss recruitment. The Committee will suggest the possibility of a Seattle ordinance providing for an "overstrength" of Negroes (non-whites) in the department commensurate with the Negro (non-white) population. In other words, although the department otherwise had no vacancies, an opening would always exist for a qualified Negro unless the 7 per cent overstrength were filled, in which event men would be hired without regard to race. The Committee contemplates, moreover, a full-scale campaign, comparable to the New Jersey National Guard effort, using wide publicity and mobile testing.

The Committee has also discussed the possibility of pre-testing and pre-tutoring with the Seattle Opportunities Industrialization Center (S.O.I.C.), which is anxious to proceed with such a program.

The Youth Patrol. Councilman Sam Smith has recommended to the City Council the formation of a "youth patrol" structured somewhat as follows: The patrol is to be under the authority of the police department; the members will be uniformed in dress of their own choosing; they will carry two-way radios; they will "police" various recreational areas, including parks, playgrounds, athletic events, and the like; they will be "of good moral character," selected from throughout the City, and assigned "without discrimination."

The Committee requested Mrs. Rodgers to study the question on two levels: first, to determine the experience of other cities, and,

second, to determine the attitudes of Seattle's own young people. On the basis of this study, Burroughs Anderson wrote to the members of the Committee and the Advisory Council on February 22nd:

...The salient factor in our recent consideration of the youth patrol has been the opposition of the young people in the Central Area to (a) supervision by the police, (b) uniforms, (c) two-way radios, and (d) the possibility of becoming known as informers. The ... strong views of these young people-- whose support is so vital to the success of the program--as well as the advice of people who have been involved with teen patrols elsewhere, lead us to conclude that the following modifications should be endorsed.

(1) In order to attract the best talent among the young people, the "youth patrol" -- if that is to be its name--should be under the immediate supervision of the Detached Worker program. Structured thus, the patrol would nonetheless be susceptible to indirect supervision by the Police Department, because the Detached Workers are under the ultimate authority of the Mayor. Within this structure the Police Department could train the patrol members, conduct weekly discussion groups and evaluation sessions, as is done in Rochester, New York ..., and even institute a program allowing the patrol members to ride in police patrol cars, as is done both in Rochester and Bakersfield, California....

(2) The youth patrolmen need not be uniformed, and, in any event, should be allowed to determine whether to adopt uniforms and if so, the preferred style....

(3) The two-way radios would not only be unnecessary, but might prove a positive detriment to the patrol members by provoking challenges by other young people and by identifying them as informers. Moreover, Chief Ramon has estimated that such a radio system would cost in the neighborhood of \$18,000.

(4) The patrol members should have absolutely no police power, and as Councilman Smith has concluded, should never be permitted to use bodily force unless necessary for purposes of self-defense. The patrol's effectiveness in "keeping things cool" would result from the members' powers of persuasion and the respect accorded them in the community.

(5) Rather than a pay scale of \$2.50 per hour based on a work month of 20 hours, it would seem more realistic to pay \$1.75 per hour based on a work week of "up to" 40 hours, as in Rochester. This scale, of course, would not apply except during the summer.

(6) The program should be directed toward the "disadvantaged youth, as was done, again, in Rochester. These are the young people who need the jobs and the experience, and more important, it is they who harbor the greatest resentment toward the police.

We are presently disposed to testify accordingly at the forthcoming hearings and will assume that the Council and the Committee approve, unless we hear to the contrary....

Receiving no negative responses from the members, Mr. Anderson testified accordingly--though less explicitly--at the March 1st Council hearings. (See clippings attached, Appendix XIII.) Upon the Council's request, Mrs. Rodgers has furnished it with all the information that she has obtained. (See correspondence with Councilwoman Lamphere, Appendix XIV.) The likelihood is that the youth patrol will be substantially modified along the lines suggested by the Committee, or the Detached Workers will be expanded to accomplish the same purposes.

Youth Advisory Council. Mrs. Rodgers assisted the Community Relations Unit in planning and implementing its Youth Advisory Council meetings. The Council was conceived in the following manner. Sometime in the late fall, Chief Ramon participated in a panel discussion with Walt Hundley, then the director of CAMP. Mr. Hundley berated the Department for failing to have "citizen advisory councils." After the discussion, Officer Noreen Hartsfield, who had accompanied the Chief,

asked Mr. Hundley whether he would produce the young people to constitute the Council. "We have tried," she said, "but people just don't want to be seen 'associating' with the police." Mr. Hundley agreed to organize the youngsters, and the combined executive boards of the CAMP Teen Council and the Detached Workers Teen Council were constituted as the Youth Advisory Council to meet with members of the Community Relations Unit every other Thursday night. Mrs. Rodgers, who must be careful to maintain a position of "neutrality," attends as a "member-observer." The meetings have been extremely fruitful and highly interesting. The young people have many questions and during the discussions they learn why the police act as they do under certain circumstances. Some of the explanations they accept; some they reject. The police likewise achieve a better understanding of the young people.

The program for one of the meetings was a tour of the Police Department. While in the radio room, a robbery call came in from the Central Area. The suspect was a "Negro male in his early twenties; he had processed hair and was wearing a green sweater." The kids gathered around the radio operator, anxious to listen for further developments. Five minutes later the police radioed in that they had picked up a suspect fitting the above description. They questioned him, however, and his explanation satisfied the officers that this man was not the one they wanted..

This experience provided a graphic answer to a question that the

teenagers had raised in the preceding meeting: "Why should we ever have to talk to a cop?" Now they understood.

The Committee was convinced that these meetings should be expanded. Mrs. Rodgers discussed the possibility with Lt. Benner and with Tommy Vassar, the president of the group, and all agreed. The meeting night was changed to every other Wednesday night so that the entire Teen Council--not just the executive boards--could participate. The first meeting of the reconstituted group was held on February 28th, and Chief Ramon attended for the first time. An unprecedented 40 to 50 young people were on hand to learn that Chief Ramon was a person. The Chief, aided by Lt. Benner and Officer Hartsfield, was often on the defensive, but he was pleased with the meeting and stated to the young people that he hoped they would be continued. The Committee is hopeful that more regular police officers--not just community relations officers--will be induced to attend future meetings.

Recent Disturbances. Several incidents have occurred in the Central Area within the past few months involving confrontations between teenagers and quite a number of police officers. Mrs. Rodgers made a careful investigation of these occurrences, the primary objective being to determine the effect of these incidents on police-community relations. (See excerpts from her confidential memoranda, Appendix XV.) One result of this investigation was the conclusion that an un-uniformed youth patrol could aid immeasurably in keeping things cool. See supra.

Another conclusion was that Franklin High School would benefit from a program similar to the Youth Advisory Council, which meets in the area near Garfield High. (Garfield is slightly more than 50 per cent Negro, the only predominately black high school in the city. Franklin has 20 per cent Negroes and 20 per cent Orientals.) Mrs. Rodgers met with several teachers at Franklin (one of whom was Brennan King, a member of the Seattle Advisory Council), and they formulated a plan for inviting the police officers assigned to patrol the area into the school either during lunch period or study hall periods for discussion sessions. Mrs. Rodgers was invited to a meeting of the principal's cabinet in order to present the plan to the ruling body. There was unanimous agreement with the proposal, and a letter was drafted inviting several police officers into the school. The first sessions were "extremely successful," said Mr. Ralph, the principal. "So many kids wanted to come that we had to give each officer two separate periods in which to speak." They discussed police careers and asked many other questions about police work.

Providing Lawyers for Indigent Misdemeanants. The Committee is concerned about the quality of justice in the Municipal Police Court. Fortunately, the only judge there, Judge James Noe, is excellent and gives the proceedings at least the appearance of justice. Judge Noe has instituted, on his own initiative and with the assistance of a number of law students, a bail reform project patterned after the Vera Institute

recommendations. When Mrs. Rodgers met with Judge Noe to discuss the question of whether lawyers should be provided for offenders in his court, he wholeheartedly recommended that they should be. And beyond the benefit to the offender himself, Judge Noe said that lawyers would lift "an awful burden from his own shoulders." (He must, from time to time, assume the task of cross examining prosecution witnesses and the direct examination of the defendant.) Lt. Walt Lawson, a Negro officer who is in charge of the City Jail, is similarly concerned about the quality of legal representation for the poor, his particular concern being the right to counsel during the period before preliminary hearing.

That lawyers be provided for indigent misdemeanants is an issue that commands a remarkable degree of concurrence among many, including Robert Ashley, Director of Legal Services; A. L. Newbould, Corporation Counsel; Dean Lehan K. Tunks, University of Washington School of Law; and the members of the Seattle Committee. The big question that draws the controversy is "How?" The alternative methods are (1) expansion of Legal Services (it is presently limited to the handling of civil cases); (2) expansion of the assignment system; (3) the public defender system; (4) and the use of volunteer law students under faculty supervision. The public defender is, politically, a dead issue. Several members of the Committee are presently pursuing another course, which appears promising, but which, because of its momentary delicacy, cannot be detailed here.

Pamphlet on the Rights of an Accused. The Seattle Committee has discussed the possibility of following the lead of the Miami Beach, and now Atlanta, projects in formulating a booklet outlining the rights of a person arrested. Mrs. Rodgers has sent a copy of the Atlanta pamphlet to Lt. Lawson, who is studying it with an eye toward modifications for the local situation. Because of his position at the jail, he is peculiarly suited to aid us in this project.

The Committee has hopes, in addition, of expanding the subject matter of the pamphlet to include a summary of the law relating to arrests, searches and seizures. The need for the inclusion of this material came to the Committee's attention as a result of an incident in the Central Area. At one of the Youth Advisory Council meetings, the question was asked whether a policeman could ever enter a home without a warrant. Lt. Benner answered that "as a general rule, an officer who enters your home will have a warrant, but there are occasions when a warrant is not necessary." Several weeks later, two police officers were making an immediate follow-up investigation of a robbery. The suspect was named and his home, into which he had just fled, was pointed out by the witness. The officers rushed to the house and knocked on the front door. The suspect invited them in (consent, of course, is not a necessary requisite for a hot-pursuit search or arrest), and the officers were confronted by a group of six Negro men, who stated that the officers had no right to make the arrest because "Lt. Benner said that under no circum-

stances can you enter a house without a warrant." Because of this misunderstanding, it took the officers an hour to make the arrest. An authoritative statement of the law relating to this situation might have avoided the entire incident.

Other issues. Among other issues that the Seattle Committee has authorized Mrs. Rodgers to explore are:

(1) The question of finding an alternative to drunkenness arrests in Seattle. In 1966, 55 per cent of all arrests in Seattle were made for drunkenness. The drain on police time is extensive, and the question arises as to what role the police should be called upon to play if alcoholism is to be deemed a defense to a charge of public drunkenness.

(2) The rules relating to deadly force. The Committee believes that the most effective method for achieving reform in this area is through substantive criminal law revision. In addition, the Human Rights Commission has prepared a draft report which has been under advisement in the Mayor's office.

(3) Whether the police should have a permanent legal advisor, with duties including training, policy planning, and liaison with the legislature, the prosecutors, and the courts. At present, it appears that the advisory role of the corporation counsel in Seattle may be too confined and that statutory and budgetary problems preclude the broader function that should perhaps be considered in the light of the new problems in the area of police-community relations.

(4) Whether the qualifications for becoming a police officer should be reconsidered. The minimum age requirement was lower in October from 23 to 22, arguably still too high. The maximum age is 32. The minimum height is 5' 9" -- a requirement that is "rigidly adhered to," and the "absolute minimum weight" is 145. The Committee is interested in the possibilities of giving consideration to exceptions to the rigid requirements in the interest of recruiting otherwise qualified Negro men.

The Secretary of the Civil Service Commission has expressed interest in having the Seattle Committee devise, or locate, an accurate psychological examination to determine the existence of bias in applicants for police positions. The national Committee has requested Mr. Dante Andreotti of the United States Department of Justice, Community Relations Service, to study the question.

At present, a high school diploma or its equivalent is required for admission to the department. The Seattle Committee is considering the possibility of recommending that a police officer be required to attain two years of post-high school graduate work, perhaps at city expense, within five years of joining the force.

(5) State criminal law revision. In addition to the municipal code project, Mrs. Rodgers has been authorized to serve as a consultant to the Judiciary Committee of the Legislative Council, which, under

a mandate from the State Legislature, is to draft a new criminal code for the state by 1969. She also has been asked to attend the meetings of the Criminal Law Task Force of the Attorney General's Crime Commission. The Committee has concluded that many existing state statutes tend, by themselves, to create conditions which lead to poor police-community relations. Some laws are anachronistic and others, because of their broad phraseology, permit the use of police discretion inimical to good police-community relations. Finally, there is an obvious necessity for the revisers of the municipal code to work closely with the revisers of the state code.

SUMMARY & CONCLUSION

The Lawyers' Committee for Civil Rights Under Law applied for and received an CLEA grant to develop demonstration projects in the field of police-community relations in three cities. The Committee realized that the projects would be experimental and noted in the grant application "...the first year of the program is all that is included in this application. It is envisioned as an experimental year." The Committee indicated that it would, at the conclusion of the initial year, determine whether the program should be continued. If continued, it was contemplated that the program would be modified on the basis of the lessons learned, and expanded to other communities. The Committee's analysis is that the concept behind the grant and the initial year's experiment has been proven valid. The CLEA grant has enabled the creation of three autonomous organizations in three widely separated areas. The local Lawyers' Committees have taken on an identity of their own and are functioning to improve police-community relations.

In view of the fact that the influence and commitment of the legal establishment in the three cities has been increasing at a geometric rate in the last few months, the Committee has continued to support the local programs, both financially and with staff assistance, long after termination of the CLEA grant.

The basic objective of the demonstration projects was to obtain the commitment of lawyers and of local bar associations, to use their influence on the improvement of police-community relations and to utilize their particular

skills to alleviate tensions within their communities. In each of the three cities, the Lawyers' Committee has achieved this objective. The concern of the bar associations in these three cities has also led to program development in other cities. (Please refer to the appendix of this final report entitled Related Activities.)

Striking evidence of the Lawyers' Committee's attempts to involve bar associations in police-community relations programs was reflected by the 1968 mid-winter meeting of the American Bar Association. (A copy of the program agenda for the mid-winter meeting is attached as appendix XVI.)

The Lawyers' Committee was able to persuade the American Bar Association to devote the major portion of the meeting to the role of the Bar in the urban crisis. Several Lawyers' Committee members delivered speeches before the Conference of Bar Presidents. The Lawyers' Committee Co-Chairmen were among the featured speakers on the program.

Miami Beach, Washington, D.C. and other cities have benefitted from the Lawyers' Committee police-community relations program grant application which stated, "...at the conclusion of the first year, if the program is successful, we will expand it to include six additional cities, and we would hope to add that many more in the third year." The "Administration of Justice" program headed by Cyrus Vance and the "Recruitment" program headed by former Assistant Attorney General, John Douglas, are evidence of the growing involvement of the Lawyers' Committee in urban problems which relate to the police and community. In addition, the

Committee hopes to be able to multiply this growing involvement of the legal establishment across the country even on a larger scale than originally indicated.

On January 15, 1968, President Lyndon Johnson sent a telegram to the Lawyers' Committee on the occasion of a dinner honoring John Doar, who resigned from the post of Assistant Attorney General for Civil Rights to accept a position as Executive Director of the Bedford-Stuyvesant Project in New York.

The President in his telegram said:

"Your efforts in protecting citizens -- who would otherwise suffer the loss of their constitutional rights, and in developing new methods to assist our federal, state and local governments in improving the administration of justice, has my continuing support and admiration. I hope that the Lawyers' Committee will continue and expand these efforts. You are an essential element in gaining the support of the private sector -- lawyers, corporations, and foundations -- in the struggle for human rights. The country needs your work today as perhaps it never has before."

The Lawyers' Committee is grateful to the CLEA for making the money available that brought into existence these programs which are beginning to take hold nationwide.

RELATED ACTIVITIES

The Lawyers' Committee has also engaged in a variety of related activities made possible by the generous support of businesses, foundations and the bar.

Miami Beach Experimental Project

It is apparent that the lower courts are at least one vital factor in the police-community relations picture.

Moving on this premise, the Committee attempted to develop an appropriate program which would tie in the community, the lower court, and the police department. It was felt that an informational booklet for distribution to defendants by the police--a booklet which would deal with matters of jail and court procedures subsequent to arrest--might have a salutary effect on the total picture of police and community relations.

This idea was further augmented by the finding that, in many instances, the police and/or the court are either reluctant or not in a position to supply the arrested person with an adequate understanding of the procedures through which he must pass.

Persons not ordinarily represented by counsel, such as those in the lower socioeconomic group (who most often come before the lower courts) are not supplied with adequate information as to the procedures to which they will be exposed when passing through the system of criminal justice. Such an uninformed defendant not only is apprehensive and unsure

of his rights, but moreover becomes hostile and disrespectful of the system of criminal justice when he is shunted through jail and court proceedings, the essence of which he cannot in any way comprehend. He feels he has been given a "raw deal" by the police and the court. In an effort to overcome these factors, the Committee sought to develop an informational booklet.

Miami Beach was selected for the initial pilot project as a result of long standing contacts between a member of the Washington staff and Judge Murray Goodman of the Municipal Court as well as Chief of Police Rocky Pomerance. Both guaranteed the fullest cooperation in such an endeavor.

Chief Pomerance, in a letter to the Committee, stated in part:

"It is my earnest belief that the mystique of the arrest process can be clarified so that the unfortunate citizen who becomes subject to arrest can be made aware of the procedures which face him.

The Miami Beach Police Department is eager to demonstrate to the nation what progressive steps a small department can take when working in conjunction with its Municipal Judges."

The other two Municipal Court Judges joined with Judge Goodman and in a letter about the project stated:

"The plan outlined coincidentally parallels our own thoughts and we feel would serve a worthwhile purpose in orientating persons who have been arrested and who are facing trial."

Research was done in an effort to prepare the initial draft of the booklet. Agencies which might have dealt in such matters, or those

having knowledge of others who have dealt in such matters, were contacted. The Attorneys General of a number of states submitted materials which they had developed for similar purposes. It was determined that a comprehensive booklet dealing with both court and jail procedures had never been produced and that defendants would definitely benefit in terms of their feelings toward the police by the dissemination of such a document.

The Deputy Executive Director of the National Defender Project, Mr. John Cleary and the Executive Director of the Vera Institute of Justice, Mr. Herbert Sturz, came forward with a great many valuable suggestions and closely followed the project to its conclusion.

On-site visits were made to Miami Beach to determine, and to further assess, the course which the project should take. During these visits, the actual writing of the booklet was commenced. A decision was reached between the Police Department, the Municipal Court and the Committee, that each and every defendant arrested by the Police Department should receive a booklet from the police at the time of booking and that the judges of the Municipal Court should question each defendant as to whether or not they had received and/or had the opportunity to examine the booklet.

It was further determined that depictive drawings would be interspaced throughout the text to create more interest and that due to the Cuban refugee problem which faces the Dade County area, the booklet would be published in both Spanish and English.

A number of prominent attorneys were requested to examine the preliminary drafts. Those participating in this evaluation were:

Professor Tom Wills	Professor of Criminal Law, University of Miami School of Law
Howard Dixon	Director of Neighborhood Legal Services for Dade County
Marco Loffredo, Esquire	Assistant Dade County Public Defender
Harvey St. Jean, Esquire	Criminal Defense Attorney in private practice
Judge Irving Cypen	Former Circuit Court Judge and currently in private practice in Miami Beach
Tobias Simon, Esquire	President of the local Dade County poverty program and affiliated with ACLU

Critical evaluations were received from these attorneys and a number of changes in the initial draft were made in consonance with those suggestions. The draft was then mimeographed and a questionnaire containing eight simple questions was developed. During an on-site visit by a member of the Washington staff, these materials were administered to persons then incarcerated in the Miami Beach jail.

Through subsequent in depth interviews it was concluded that with but a few exceptions, the answers provided to the questions were accurate. Such in depth interviews went beyond the scope of the simple questionnaire. Interesting comments and observations were noted which were helpful in preparing the final draft. The interviewer was experienced with the type

of people incarcerated in the Miami Beach jail and some of the forthright and emotional answers given in response to questions demonstrated even further the need for such a booklet.

During the course of the development of the booklet, it became obvious that the close liaison forged between the Court, Police Department and the Committee was creating a climate in which all parties to the project became more amiable to creative suggestions. Thus when points of jail or court procedure were shown to be archaic, there was a positive acknowledgment that such was the situation and the expression of a desire to see some sort of a change in the system.

The entire concept of the booklet slowly evolved, from what had originally been conceived of as but an informational device, to a vehicle whereby court and jail reforms could be achieved. As an example, questions were raised with the authorities in Miami Beach as to their treatment of alcoholics, and whereas previously the Miami Beach Municipal Court had never had any formal rules on the treatment of alcoholics, rules were developed and codified in the booklet--rules in harmony with the best present-day modern thinking on the subject. In the area of alcoholism for instance, the spirit of the Easter-Driver decisions has been followed closely even to the extent that a special counselor was made available to diagnose alcoholics so that in appropriate cases, medical care could be substituted for incarceration.

In the area of the provision of counsel to indigents, whereas

Florida law still does not provide that counsel need be supplied to an indigent in the case of the violation of city ordinances, the Municipal Court Judges decided voluntarily to abide by the policy of providing counsel without cost to any indigent requesting such. The booklet provided the vehicle whereby such persons are informed and in fact requested to come forward and ask the Judge for a lawyer even if they cannot afford one.

When all parties concerned agreed conclusively to the text, the booklet was printed under the title "You and the Law" and was announced to the Florida Bar's Annual Convention held in June by the Honorable Claude Pepper. The concept was received most favorably at the Convention. A press conference was held in which our staff member, Judge Goodman, and Congressman Pepper explained to the community at large the purpose behind the development of the booklet. Coverage on all news media was highly favorable.

Distribution of the booklet to defendants was begun almost immediately and is presently going on. Since it is obvious to everyone concerned that there is room for improvement in the text, especially insofar as it presents a codification of court reform, the parties have agreed that this would be but an initial undertaking; that the booklet would be evaluated locally; and that subsequently conferences would be held between the Police Department, the Municipal Court Judges, members of the local Bar Association, the responding attorneys, and the Committee's staff in an effort to rewrite and republish the booklet in an even more forward-thinking

form.

At this point, without a definitive evaluation being available, the success of the publication can probably best be measured in terms of its acceptance by other communities. Although the publication has been little publicized to date, three communities have already moved forward in the same direction.

The city of Atlanta, under its local Police-Community Relations Committee, has released a very similar booklet labeled "Arrested? What Next?". This booklet was a direct result of the Miami Beach experiment and was brought about by conversations held here in Washington between members of the Atlanta Committee and persons from Miami Beach during the Crime Control Conference Dinner meeting. The staff member who aided in the development of the Miami Beach booklet was called upon for consultation in the development of the Atlanta booklet.

D. C. Court Pamphlet

Judge Tim Murphy requested the Committee's aid in the preparation of a booklet for defendants in the District of Columbia Court of General Sessions. Judge Murphy felt that too often most court officials are too concerned with moving the very heavy caseload to take time to deal with the specifics of an individual defendant's problem. This is true not only of the judges and other court officials, it is also true of the lawyers who regularly practice criminal law in General Sessions Court. Consequently,

most poor people processed by the courts feel a great alienation toward the entire system.

For these reasons, the booklet attempts to do more than explain to a defendant his legal rights. It is also an attempt to increase a defendant's involvement in the preparation of his own case.

The booklet attempts to advise a defendant on the ways he can help his attorney prepare his case, and the steps he can take before trial to aid his own rehabilitation (such as seeking family counseling, getting a job, or getting help for a drug problem) as well as explaining the legal rights to which a defendant is entitled and the details of the procedures which a defendant must confront.

In the preparation of the booklet, the Committee's staff attorney had numerous conversations with officials involved in the legal system including men at the Bail Agency, the Criminal Justice Act interviewers, and the employees of the Citizens Information Service (a referral agency located at the Court). Early drafts of the booklet were also shown to the U. S. Attorney's Office, the Legal Aid Office, Mr. Daniel Freed of the Justice Department, and numerous attorneys in private practice. The first week in February, a draft form of the booklet was distributed to approximately 200 defendants appearing in District of Columbia Assignment Court. An effort is now being made to gather feedback before the booklet is prepared in final pamphlet form.

It is too early to determine which form the booklet will finally take.

In addition to the original idea of preparing a booklet for defendants, the Committee has received suggestions that a similar booklet be prepared for lawyers. It is felt that such a booklet would not only be helpful in explaining the complicated criminal process to "uptown" lawyers who rarely handle criminal cases, it would also make all lawyers better able to perform their "social work" function by informing them of the various rehabilitation facilities available in the District of Columbia. It has also been suggested that the ideas contained in the booklet be distributed to other bar associations attempting to reform their lower criminal justice courts. As a result of the articles appearing in the District of Columbia's newspapers when the temporary draft was distributed, the Committee has received many requests for copies and the booklet is being used as a model for a similar effort by the Public Defender's Office in Dade County, Florida.

Dade County Bar Crime Control Conference

In response to the President's request in May of 1967 that local communities mobilize their resources in the fight against crime, the Dade County Bar Association became one of the first to hold a local Crime Control Conference.

The local conference was sponsored directly by Judge Murray Goodman, a member of the national Committee and chairman of the Dade County Bar's committee on Crime Control and the Administration of Justice.

Judge Goodman called upon Mr. Harvey Friedman, a member of the

Committee's staff as well as a member of the local Crime Control Committee to aid in organizing the conference. Mr. Friedman visited with local officials and helped organize the program. By all indications, the conference was a great success.

Project Development

During the course of this project year, the Washington staff had the opportunity to develop a number of unique and imaginative projects. Some were developed in response to the anticipated needs of the demonstration cities. Others were the result of pure social research.

All these projects fall into two major categories. The first embraces suggestions and programs to be implemented in police departments in their efforts to reduce the tensions engendered by negative police-community relations. The other is aimed at imaginative and creative undertakings in the area of the system of the administration of criminal justice, but not exclusively concerned with police-community relations.

1. Recruitment of police from the ranks of returning veterans.

Since there is some period of time before veterans are finally discharged from the military service following their return from overseas, and since they often face a re-entry crisis and a problem in finding suitable employment, it has been proposed that a project be undertaken in cooperation with the Department of Defense in which these persons would receive police training prior to their final discharge. These returning veterans

present an ideal pool of available manpower, and particularly minority group manpower, from which to recruit policemen for undermanned urban departments. Mr. John Douglas, former Assistant Attorney General, a member of the Executive Committee of the Lawyers' Committee agreed to head this project for the Committee.

The Lawyers' Committee sponsored a conference at the Washingtonian Motel on March 8-9 to examine recruitment problems of the police. Representatives from eight city police departments and eight attorneys from those cities attended. Speakers included representatives from the Defense Department who spoke about the Department of Defense's Project Transition. Hubert Locke from Detroit, and Norman Kassoff from the IACP also addressed the two-day conference.

2. Contingency plans for the system of the administration of Justice in the event of mass arrest. It has been proposed that the Committee, working first in Detroit and utilizing it as a pilot, develop specific contingency plans for the augmentation of the entire system of the administration of justice in the event of riot or insurrection followed by mass arrest.

It will be noted that during the recent Detroit riot, according to George Bushnell, Esquire, Chairman of the local Detroit Committee, that the United States Constitution was arbitrarily suspended. The system for the administration of criminal justice in Detroit just did not bear up under the intense strain caused by the large number of mass arrests in

that there were an inadequate number of judges, prosecutors, and defense counsel. The entire system fell into a state of chaos. No contingency plans were available for such mass arrests. It is proposed that a contingency plan, based on the knowledge acquired during the Detroit riot, be developed and that the Committee select 100 cities to which they will offer consultant services in an effort to develop a plan based on that created for Detroit. Each city will be able, with the help of the Washington staff, to modify the Detroit plan according to its own requirements.

Cyrus Vance, former Under Secretary of Defense and a member of the Executive Committee of the Lawyers' Committee, is heading this project. Mr. Vance has already set the program in motion in New York City and spoke before the American Bar Association Convention in Chicago where he outlined the project to the Presidents of the major Bar Associations of the United States.

Publications

Several major publications have emanated from Washington staff headquarters during this past project year.

1. The booklet "You and the Law" prepared for the Miami Beach Police Department and Municipal Court has already been discussed in this report. A copy of the pamphlet is attached as Booklet IV.

2. The edited transcript of the Washington Planning Session has

been published. The transcript is attached as Booklet I.

3. A highly selective bibliography dealing with police-community relations was prepared for use at the Office of Law Enforcement Assistance Grantees Conference held in Washington during June. The bibliography is annotated by classification according to subject matter. This is a quality which in prior undertakings has been all but non-existent. A copy of that bibliography is attached as Booklet II.

4. The pamphlet prepared by the Atlanta Committee for use in the lower court system has already been described in this report. A copy of that pamphlet is attached as Booklet III.

5. The project undertaken with Judge Tim Murphy in Washington, D.C. has now been reduced to pamphlet form. A copy of the text of that booklet is attached as Booklet V.

Conferences

During the past year, the Lawyers' Committee staff participated in and sponsored several conferences dealing with the problems of police-community relations.

The Attorney General, Ramsey Clark, invited the Lawyers' Committee to participate in the Lawyers' Conference on Crime Control. The Conference, sponsored by the Department of Justice in cooperation with the American Bar Association, was held in Washington, D.C. on May 12-13, 1967.

The purpose of the Conference was development of a role for the legal profession in the national effort against crime. The Washington staff was able to secure invitations for persons involved with its local projects in Seattle, Detroit, Atlanta and Miami Beach. Consequently, the following people attended the Conference:

Burroughs B. Anderson	Chairman - Seattle Police-Community Relations Committee
Harold E. Mountain	Member - Detroit Police-Community Relations Committee
Judge Donald Leonard	Member - Detroit Police-Community Relations Committee
William W. Cowan	Member - Atlanta Police-Community Relations Committee
Hilton Fuller	Executive Director - Atlanta Police-Community Relations Committee
Judge Murray Goodman	Judge, Miami Beach Municipal Court
James M. McGovern	Executive Director - Metropolitan Atlanta Commission on Crime and Juvenile Delinquency

Washington staff members who attend the Conference were:

Jacques Feuillan	Deputy Project Director, Police-Community Relations
Harvey Friedman	Staff Attorney, Police-Community Relations Project
Errol Miller	Staff Attorney, Police-Community Relations Project

Orison Marden, President of the American Bar Association, made reference to the Police-Community Relations Projects of the Lawyers' Committee in his opening remarks at the conference.

The Lawyers' Committee held a dinner meeting on the evening of May 12, 1967, to discuss the police-community relations programs of each of the project cities. As cited in the Fourth Quarterly Report, the

goal of the meeting was to bring about a frank and open discussion in an effort to point up the problems inherent in the establishment of a viable local police-community relations lawyers group, and also to suggest solutions to those problems.

In addition to the people listed above, those in attendance at the dinner meeting included Louis F. Oberdorfer, Treasurer of the Lawyers' Committee, and Frederick A. Ballard, who heads the Sub-Committee of the Lawyers' Committee dealing with police-community relations.

On July 17, 1967, the Lawyers' Committee for Civil Rights Under Law held a Planning Session at the Washington Hilton Hotel dealing with police-community relations. The Planning Session was chaired by Whitney North Seymour. In addition, a number of members of the Executive Committee and delegations of four people from each of the three project cities attended the Session. Both Atlanta and Detroit sent their Chairmen as well as their staff directors; both Detroit and Seattle sent representatives from their police departments--in the former case Police Commissioner Ray Girardin came. A number of local police officers attended the Session as did a number of representatives from academic circles and the courts. A list of the Planning Session participants is included in the edited transcript of the meeting as in Booklet I.

The Planning Session was divided into four panels, each dealing with separate topics in the field of police-community relations. Panel one, moderated by David Stahl, City Solicitor of Pittsburgh, dealt with

police-community relations from the view of racial and economic minorities. This panel included a discussion of the indirect impact of social conditions and the criminal and civil law on the power of the police to discharge the peace-keeping function. It also dealt with the role of the lawyer, as a member of the community, to negotiate for change and to help structure within political institutions a respect for rights. Members of this first panel were Alton Lemon, Julian Dugas and Brant Coopersmith.

Panel two was moderated by William B. Spann, Jr., Esquire, member of the Executive Committee of the Lawyers' Committee for Civil Rights Under Law and Chairman of the local Atlanta Committee. This panel dealt with police-community relations from the view of students and young people. The discussion here dwelt on the role of the law in dealing and working with this large and growing minority group with duties to, but curtailed rights within, society. The discussion was focused on the statutory laws governing juveniles, discretionary police action, and juvenile court structure and procedure and their impact on the role of the police and the police's ability to relate to young people. This panel included Marvin Wolfgang, Herbert Blumer, and Gordon Misner.

The third panel, headed by Jerome Shestack, member of the Executive Committee of the Lawyers' Committee for Civil Rights Under Law, dealt with the effect of the judicial process on police-community relations. This panel dealt with the impact of procedure, the role of the lawyer as an agent for structural, procedural, and substantive change within those aspects

of the legal process which affect the image and work of the police. Panel membership included Judge Leon Higginbotham, Herbert Goldstein and Judge Tim Murphy.

The fourth panel, moderated by Louis F. Oberdorfer, member of the Executive Committee of the Lawyers' Committee for Civil Rights Under Law and former Assistant Attorney General, was titled "Police-Community Relations from the Viewpoint of the Police." The discussion here centered on the internal problems of the police in dealing with the demands made upon them by various segments of the community; the maintenance of morale and the enforcement of orders intended to improve relations within the community as well as problems arising from police training and from the enforcement of morality and the good behavior in the community. Panel members were William Osterloh, David Craig and Undersheriff Wesley Pomeroy.

Dean Lohman, of the School of Criminology, University of California at Berkeley, served as moderator for the entire program. Luncheon speakers included Deputy Attorney General, Warren Christopher, who outlined the Safe Streets Crime Control Act of 1967 for the Conference participants; Senator Edward Kennedy of Massachusetts; Harry McPherson, Special Counsel to the President of the United States; and Clifford Alexander, Chairman of the Equal Employment Opportunity Commission.

Requests for Copies of Transcript

Police Departments

Kentucky State Police
Dade County, Florida
Patterson, New Jersey
New Orleans, Louisiana
Miami, Florida
Oakland, California
Milwaukee, Wisconsin
New York, New York

Educational Institutions

University of Virginia (Law School)
State University of New York at Albany (School of Criminal Justice)
University of Maine (Law School)
Milwaukee Institute of Technology (Police Science Program)
Rutgers University (Law School)
University of Washington (Law School)
University of North Dakota (Law School)
Emory University (Law School)
University of Wisconsin (Department of Political Science)
Sacramento State College (Department of Police Science)
State University of New York at Buffalo (Law School)
University of Connecticut (School of Social Work)
State University of New York - Agricultural and Technical College .
(Police Science Program)
State University of New York at Farmingdale (Department of Police
Science)
Arizona State University (Law School)
University of Notre Dame (Law School)

Others

American Bar Foundation
Madison, Wisconsin, Equal Opportunities Commission
District of Columbia Council on Human Relations
Greater Hartford Council of Churches
Kansas City Human Relations Commission

Also: Many individual lawyers

Representative Comments

"Excellent... We were very much impressed with the content of this publication."

Colonel James E. Bassett
Director, Kentucky State Police

"The contents of this booklet are most informative and should prove beneficial to all law enforcement agencies now encountering the type of problems discussed at the conference and outlined in this publication."

Joseph I. Giarusso
Superintendent of Police
New Orleans, Louisiana

"Congratulations on your fine booklet"

Professor Paul B. Weston
Director, Police Science
Sacramento State College

"I understand from my close friend, Federal Judge Jack Weinstein that this is an outstanding document, and that it is "must" reading"

Professor William Hewitt
Chairman, Department of Police Science
State University of New York at Farmingdale

DETROIT POLICE DEPARTMENT
PRE-CADET AND POLICE CADET
TRAINING PROGRAMS

I PURPOSE

This document is a proposal for a grant to finance the Youth Service Corps, the Junior Police Cadet Program, and the Police Cadet Program as part of the Detroit Police Department's pre-recruit training for youngsters interested in law enforcement.

II AGENCY SEEKING GRANT

The agency seeking the grant is the City of Detroit -- The Detroit Police Department.

III OBJECTIVES

The incorporation of the Youth Service Corps, (YSC) the Junior Police Cadet Program, (JPC) and the Police Cadet Program (PCP) into a single proposal reflects the belief that the coordination of their respective activities into a single program can result in a comprehensive solution to various problems present in our community.

The first main objective of the program reflects the theory that those advantages which adhere directly to the participants will indirectly benefit the community. This objective is to do something about the serious situation in which adolescents in the Detroit TAP (Total Action Against Poverty) Target Areas find themselves.

That there is a need to do something about this serious situation is unquestionable. Many fourteen (14) and fifteen (15) year old boys in this area continually become dropouts because of the circumstances of poverty. Lack of clothing, shoes, books, and incidentals, not to mention overwhelming family concerns or responsibilities, can condition a youngster into a state of "drop-out readiness" by the time he reaches sixteen (16). As a result, the high school dropout rate among Target Area youth is almost sixty-six (66) percent higher than the rate for the city as a whole.

Low family income and certain types of crime are factors which compound the circumstances of limited and unattractive opportunities for Target Area youth. While forty-seven (47) percent (768,000) of Detroit's population live in police precincts which encompass most of the city's low income families, the crime rate* per thousand persons is almost three times as high (94/M vs. 34/M) in these areas as elsewhere. By the same token, male unemployment is sixty-two (62) percent greater in the six TAP Target Areas than elsewhere in Detroit. While no direct causal relationship is implied, the average among these factors varies consistently.

Juvenile statistics tell a similar story. According to the 1965 annual report of the Detroit Police Department Youth Bureau, the crime rate for inner-city teenagers was triple that for the rest of Detroit. Moreover, the summer months of June, July, and August show an increase of ten (10) to eighteen (18) percent in cases of aggravated assault and larceny. With respect to youth unemployment,

*Based on the incidents of the following over the last three years: murder and nonnegligible manslaughter; manslaughter by negligence; rape - forcible; robbery; aggravated assault; burglary -- breaking and entering; larceny -- theft; auto theft. Other assaults; forgery and counterfeiting; embezzlement and fraud; weapons: carry, possess, etc.; first offenses; disorderly conduct; malicious destruction of property; other miscellaneous offenses.

in a labor market where the unemployment rate for nonwhite youth is sixty-six (66) percent greater than that for white youth, opportunity for many fourteen (14) to fifteen (15) year old boys to earn spending money is virtually nonexistent. These facts indicate a pressing need for intensive programming which will not only provide fourteen (14) and fifteen (15) year old Target Area boys with meaningful employment, but also offer promise of curtailing delinquency.

The long range goal of Detroit's Community Action Program is to enable the hard core poor to become self-supporting, fully participating members of the urban community. Consistent with that goal, this program is designed to interrupt the cycle of poverty by preparing the younger residents of the Target Areas for successful competition in the job market. The effective operation of programs which offer young adults from low income families a controlled introduction to the world of work is critical. The health and educational problems presented by these adolescents are complicated, however by the operation of several factors:

- (1) A one-industry metropolitan complex subjected to rapid technological change resulting higher entry level of working skills.
- (2) A heavy influx of unskilled laborers from the southern states during World War II and the economic boom that followed.
- (3) Dwindling city tax revenue.
- (4) A deteriorating inner-city school system.
- (5) Extensive inner-city urban renewal.
- (6) Inadequate public health facilities.

These problems affect all employment levels but most crucially the youngster from the unskilled labor group. The social and economic pressure of poverty is not levied indiscriminately nor on racial lines, but where inadequate training, use, and motivation is found. These inadequacies are most frequently found in the lower scale of this group and most harshly among nonwhites.

This program is designed to relieve these conditions by offering to participants an opportunity for employment with cash benefits, a chance to obtain work experience and to establish a career in law enforcement.

The advantages of the community is that this program means that disadvantaged youths, who ordinarily would have no income, job training or activity to keep them busy, are given an attractive alternative to the boredom and bitterness which frequently results in their becoming juvenile delinquents. Also, as the participants work with the police on the job, they will come to see them in the role of serving the community and less as an occupying and hostile army. The cumulative result should be reduction in juvenile delinquency.

Second, the proposal is designed as a long range approach to one of the most serious problems facing law enforcement agencies in urban areas across the country -- the severe shortage of manpower. The proposal is based on the premise that trends around the nation by law enforcement agencies to lower eligibility requirements for personnel during the very period when the need and the demand for the professionalization of law enforcement is so great, is a step in the wrong direction. The proposal recognizes that the critical nature of the

manpower shortage is so great that a number of emergency, stop-gap measures will have to be employed; it also recognizes that unless some simultaneous effort is made to lay the groundwork for a long-range approach to the problem of identification and recruitment, the emergency, stop-gap measures will become permanent policy and, as a consequence, the goal of effective, professional law enforcement will be seriously thwarted. One aim of this proposal is to identify adolescents at the 9th grade level in the public schools, to lead them through a process of school year programs, afternoon, weekend, and summer work projects, and a program of continuing education until age 21 when, it is reasonably expected, a significant percentage would be well prepared for and firmly committed to, law enforcement as a lifetime career. The total seven-year program which this proposal envisions would combine several existing programs, revamp others and create several new projects. It would require funding from several sources; federal, state, municipal and private. It would, however, have the advantage, once in operation, of providing a continual procedure for encouraging and motivating adolescents to consider careers in law enforcement, for pre-professional training and experience in law enforcement, for the development of positive attitudes toward the law and law enforcement and for both volunteer and employment opportunities in police-related operations. Moreover, the extensive background and preparatory training received by those who eventually become policemen will benefit the Detroit Police Department by bringing to it men who have had an opportunity to understand the role and function of the police officer in the community and how police work fits in with the efforts of other agencies, public and private, to serve the community. Finally, the

opportunity for higher education in police administration will instill a degree of professional training not commonly found at this time among applicants for the Police Department.

A third and equally important objective of the proposal is the improvement of relations between the police and the community, especially the minority community. Several facets of the designed program will precipitate this result.

First, since the entire program is focused on the inner-city, where there are large numbers of disadvantaged youth and which is populated primarily by Negroes, it is foreseeable that minority representation on the police force will be increased, and for many obvious reasons, this should patently improve police relations with the minority community. That something must be done to actively encourage Negroes to join the Detroit Police Department is equally obvious since only 4.4 percent (192 of 4329) of the force are Negroes -- this in a city where the population is 1/3 Negro. The major reason for the discrepancy is that residents of the inner city have little opportunity for contact with the police in situations other than restrictive or punitive law enforcement. Furthermore, many qualified Negroes in Detroit do not apply for jobs with the police because they have had no exposure to the broader aspects of police work or because they are under the false impression that the police department offers either a low status or low income career. This lack of qualified applicants has helped to perpetuate the rumor that the police department is not an open job market for Negroes. Quite the contrary is true: it is the feeling of the police department that an increase in the numbers of Negro officers is desirable, even necessary as a pre-condition to improving police-community relations. It is to actively encourage this result that the outreach and channeling effects of this program are designed.

The program will improve police-community relations in another way. Of course, not all who join the program at age fourteen (14) will eventually become police officers. Even those participants, however, and their families will have an opportunity to establish positive contacts with the police department, and, as surveys of the participants in the 1965 and 1966 Youth Service Corp Programs show, attitudes toward police are changed by this new kind of contact.

A fourth benefit to the community is the valuable work performed by program participants at various levels. In the YSC, participants carry out street patrol under adult supervision, searching an assigned area for hazardous conditions such as abandoned cars, malfunctioning street lights, vacant houses, trash, and broken glass, etc. In the precinct houses, Corpsmen participate in building maintenance with the object of teaching the participants police procedures and techniques and the reasons for these. For instance, while cleaning the target range or scout cars, the workings of these will be explained to the boys as well as the reasons why operations are conducted as they are. The Police Cadet will carry out work assignments at headquarters and in the precincts, such as answering calls and calling patrol cars, maintaining records and reports, and carrying out other duties which will relieve officers who would otherwise be delegated to these jobs, thus making more patrolmen available for street duty.

These are the four objectives of the composed program. They will contribute a needed aspect to Detroit's overall Community Action Program.

IV PROGRAM

A. Youth Service Corp

1. Introduction

The proposed Youth Service Corp (YSC) is based upon the experience

of a "junior police" pilot project which was undertaken during the summer of 1965 and the follow-up project of 1966.

The objectives of the expanded program will be realized through a unique inter-agency effort which will combine the skills and energy of the Detroit Police Department, TAP, Detroit Board of Education, and the Neighborhood Service Organization (NSO).

NSO is a voluntary social-service agency which has operated in troubled inner-city neighborhoods for many years. This organization will serve as a delegate agency to screen, hire, train, and direct the staff of the YSC. It will be aided in this undertaking by an advisory council. The members of this group will include both the operating heads of the agencies participating in the YSC program and representatives of the Detroit Citizens' Committee on Equal Opportunity, the Detroit public schools, the Detroit Commission on Children and Youth, the Department of Parks and Recreation and Wayne State University.

2. Project Director & Staff

The Project Director of the YSC will be Mr. Robert Potts who directed the 1966 program and who was formerly in charge of the Detroit Police Department's Youth Bureau. Mr. Potts will direct both the summer and winter programs of the YSC. (See appendix for detailed resume of Mr. Potts' background.)

The year-round staff of the Project Director will include two social-service consultants who will provide backup casework and group work where the need is indicated. Supervisors (precinct coordinators) for the year-round work experience sessions will be drawn from the staff of the 1965-66 summer programs. Each will maintain a record of his unit's activities and of the boys' time. Outlined procedures will be provided as a guide for the supervisors' units'

activities during the work experience sessions. The Project Director will also supervise the teacher-sponsor who will guide the school YSC club activities of the school-year program. Under his direction, the club will plan and schedule activities and discussions. He will communicate information of reported activities, for instance to the YSC Director. The teacher-sponsor may, if so desired, request permission to present to the school assemblies any role-playing presentation.

3. Recruitment

Participants will be recruited primarily from inner-city precincts and the TAP Target Areas. School consultants, school-community agents from the OEO financed school community area project in disadvantaged areas, visiting teachers (school social workers) and Youth Bureau officers will submit the names of prospective Corpsmen to NSO. The TAP Target Areas' advisory committees and Community Action Center staff, as well as the neighborhood precinct meetings now being set up by the Detroit Police Department, will also be asked to suggest candidates for the program.

4. Selection

Past experience indicates that it is difficult, at fourteen (14) and fifteen (15) years of age, to predict physical growth and mental development. Therefore, at this stage of the program, selections will make no distinction as to physical or mental aptitudes, except where a physical or mental impairment is such as to prevent the candidate from fully participating in the program. Boys will be accepted into the program whether they have had police contacts or not, with the exception that they will not be accepted if they are awaiting a hearing or disposition on a serious offense. Therefore basic standards should be:

- (1) Physical and mental ability to perform work assignments and follow directions,
- (2) Age standards as established,
- (3) Resident of the city of Detroit for six months prior to initial enrollment,
- (4) Concentration of recruiting in inner-city TAP Target Areas (which are in need of improved police-community relations),
- (5) Regular attendance at a legally constituted school, and
- (6) Not awaiting disposition on a serious offense.

5. Training

The summer program will operate similar to the 1965-66 programs.

Youth Service Corpsmen will be outfitted with shirts and badges to be worn only during duty hours. They will also have YSC identification to be carried at all times. Report forms, pads, and special ballpoint pens will be supplied to them. These items will not only facilitate the performance of their tasks, but also reinforce feelings of group solidarity and identification with the program.

Selected off-duty police officers will serve in the program as Precinct Coordinators at the rate of \$4.00 per hour. They will be responsible for integrating the work of the Youth Service Corpsmen with normal precinct functions. They will also create liaison with the Police Department and Youth Service Corps and other departmental units. Through their efforts, new understanding of community needs and sentiments will be channeled to other police officers who are not normally involved in the program.

The Youth Service Corpsmen will spend four (4) hours weekly in training sessions. They will be led by their group leaders and precinct coordinators.

The training will have the dual function of acquainting them with the purposes and functions of the Detroit Police Department while also preparing them to carry out their own duties. Initial emphasis will be placed on basic matters such as punctuality, the need to maintain a respectable appearance and be courteous at all times, and the importance of obeying lawful orders of a superior.

An important aspect of the training will consist of tours of police facilities. One of the trips will be a visit to Belle Isle where the Harbormaster will provide a boat trip and equipment demonstrations. At this location the Corpsmen will learn about the types and uses of electronic equipment.

Subsequent training will be given in water safety, basic life-saving, and mouth-to-mouth resuscitation. Representatives of the Police Department, Fire Department, Department of Parks and Recreation and Civil Defense will provide this instruction.

Training sessions will also be used to deal with the common problems and concerns of the Corpsmen. Social-psychological techniques such as role playing and group discussion will be employed for this purpose. Another objective of this part of YSC training is to expose the Corpsmen to police operations and techniques - the methods used and the reasons for those methods. For instance, using role-playing, the Corpsmen will act out a simulated crime scene sequence, complete with investigation, arrest techniques and even a moot court trial. At each stage, participants and observers will receive explanation of procedures and methods used and will be told why things are done this way. Similar analyses of traffic control and other police activities will be included in the program.

Where individual or group problems are revealed, two full-time casework and groupwork consultants assigned to the program by NSO will assist in their management. Group leaders will be helpful in the handling of minor difficulties. Appropriate referrals will be made to the social service resources which will be called upon if required.

Through personal experience, Corpsmen will learn how to seek help when it is needed. They will also be expected to transmit this knowledge to their families and other neighborhood residents. The summer program will be operated on a six-day week. A program week will consist of four half-days of street operations, while training and recreation will take up one half day each. Days will be divided into morning and afternoon shifts with each Corpman putting in a minimum of twenty four hours per week.

The Youth Service Corpsmen will each receive \$200 for their participation in the entire program. This will be paid at the rate of \$10 biweekly to cover incidental expenses of the boys while the balance of \$150 will represent a bonus to be received upon the completing of the program as evidenced by a certificate of recognition.

Recreational activities will be arranged to enhance the physical, social, and emotional development of the Corpsmen. They will join with their group leaders in the planning of such events as field trips and picnic outings. These could include visits to such places as automotive plants, television studios, Selfridge Air Force Base, or the Detroit Fire Department Training School.

Special events will also be scheduled. The Police Field Day Committee will supply tickets for the Corpsmen to attend a performance of the Annual Police Field Day Program. The Detroit Baseball Company will play host for an afternoon at Tiger Stadium.

Records of individual characteristics and work performance of the Corpsmen will be maintained by NSO. Measures of change will be used to assess the program's effect on attitude and feelings, as well as, overt behavior.

The in-school year program of the YSC is an extension of the summer program and should include 16 year olds who have graduated from the first session and should now be developed as group leaders. "School Police Cadet Clubs" will be formed at 14 selected junior and senior high schools in the seven inner-city precinct areas. Each school will appoint a teacher-sponsor for the school year portion of the YSC and provide an adequate meeting room. Group meetings will be held in the schools selected on Thursday of alternate weeks. Meetings will open at 3 p.m. and close at 5 p.m. and will be conducted according to parliamentary procedure. Officers will be elected from the group as follows:

- (1) Inspector (president)
- (2) Lieutenants (2nd, & 3rd. vice-presidents)
- (3) Sargeants (secretary, treasurer, sgt. at arms)

The inspector and 1st. Lieutenant will be official delegates to the general assembly of the YSC clubs. Such general assemblies will be held four times a year and will elect officers to serve at the next assembly meetings. School meetings will be discussions of various activities concerning police careers; for instance, subjects and courses required, special training, discussions (under police officer or consultant's guidance) on law enforcement, cadets, hospitals, knowledge of city and city government. Activities here could include role playing in arrest and approach, crime detection facilities, mock trials, etc. General assemblies will discuss group activities, adventures, and summer activities. They will also provide for a city-wide interchange of ideas and news.

Adult supervision in each of the precincts will be provided by the Police Department. Corpsmen will report to their respective precincts and units and will engage in a four-hour street patrol on foot. They will report through their supervisors on abandoned cars, damaged or unreadable traffic signs, traffic signals out of order, danger of hazardous buildings, etc.

B. Junior Police Cadet Program

1. Project Director and Staff

A Lieutenant of the Detroit Police Department will supervise activities of the JPC Program. He will organize, coordinate, and plan the tasks undertaken by the Program Staff. The Staff shall consist of two training officers (one of whom shall be a member of the Detroit Police Department and one of whom shall be a civilian), and thirteen (13) precinct coordinating officers who shall be off-duty policemen.

2. Recruitment

The primary source of applicants for the JPC should come from the 630 participants of the YSC as those participants reach age sixteen (16). Of course, the same recruiting sources utilized by the YSC can be tapped, especially the neighborhood precinct meeting now being set up by the Detroit Police Department, and it will be possible for an applicant to enter the program laterally at this point regardless of whether he has participated in the YSC phase of the program. It is presently envisioned that the JPC program will have in its first year of operation, 200 participants, and it is hoped that this number might be increased in later years.

Since most Junior Police Cadets will be "graduates" of the YSC Program, they will be primarily, residents of the inner-city TAP Target Areas. The Junior Police Cadets will, however, be dispersed to thirteen (13) precincts - that is, they will work not only in the inner-city precincts, but also in precincts bordering on the inner-city. This has the obvious advantage of giving the participants an opportunity to make positive contacts outside of the poverty area.

3. Selection

Standards used to determine entrance into this phase of the program will be more selective than the YSC criteria since participants are, at this stage, being primed for a career in law enforcement and will ultimately have to meet the police department's physical and mental standards anyway. Of course, these standards will be adjusted so as to be appropriate for sixteen year olds. Standards will be determined in the same manner used by the Police Department in recruiting regular officers with help from cooperating agencies.

4. Training

The Junior Police Cadets will receive uniforms and a year-round schedule of activities. Activities will include training and work assignments. Training will be conducted in a specially designed and separately given course at the Police Academy by the training officers. Work assignments will be supervised by precinct coordinators (who will keep records on work performance) and will be non-mental and non-technical. (Participants will not be performing law enforcement duties in crime prevention and apprehension done by sworn personnel.)

Junior Police Cadets will be active four (4) hours per week. Approximately two hours of this time will be training in all phases of police work, such as fingerprinting, operation of city government, weapon identification, etc. The

remaining two hours per week will be spent in work assignments. These shall be mainly distributing police literature (i.e., about precinct-neighborhood meetings, safety ordinances, first-aid literature, police warnings against leaving keys in cars, etc.) and in helping to maintain precinct records and reports. This latter task will serve to familiarize participants with the more mundane aspects of police work and give them a hitherto unseen view of the job.

During the summer months, the JPC's will also serve as unit leaders for the YSC participants.

C. Police Cadet Program

1. Staff

The same lieutenant who supervises the JPC Program will supervise the PCP as well. His staff will include five officer supervisors from the Detroit Police Department who will be compensated at \$4.00 per hour and who will conduct 48 work experience sessions at eight hours each with the Police Cadets. Moreover, there will be two training officers with degrees in Police Science and Administration whose function it will be to design and effectuate a four-year training program specially designed for Police Cadets.

2. Recruitment

Similar to the Junior Police Cadet Program, applicants can enter laterally at this point of the program regardless of whether they have undergone the training opportunities offered by the Youth Service Corps and Junior Police Cadet. The primary sources of recruits for the PCP program should be from the Police Cadet Program, but other sources such as the neighborhood precinct meetings and high school counselors will be utilized. In its first year the PCP Program should have 75 cadets and this number should be enlarged in later years.

3. Selections - At age 17 a careful selection of Police Cadets would be made by examinations, work performance record and personal evaluations.

All Police Cadets will be requested to pass entrance examinations at a local college or university offering courses in police administration. Failure to gain entrance to a college will not mean exclusion from the Police Cadet Program. Those who are accepted by a college, however, will be able to enroll in a two (2) year course in Police Science and Administration offered at Detroit area colleges and universities upon graduating high school. Cadets enrolled in college level programs will be required to carry twelve (12) credit hours per semester and will receive tuition reimbursement. Cadets successfully completing forty-eight (48) hours of college credits in Police Administration will be eligible to take the first promotional examination for uniform sergeant after two years service in the Detroit Police Department, following confirmation to the rank of patrolman. The normal waiting period is five years.

Acceptance of applicants, conducting character investigations and administering the oral interview would become the responsibility of the police department. Conducting the written examination will remain the function of the Civil Service Commission.

4. Training

Cadets will receive a carefully designed program initially, and continuing education, coordinated between the Police Academy and the college—university Police Administration programs.

Cadets while on work assignments in precincts, would be under supervision of selected police personnel with interest and ability to give vocational and personal guidance. At least the final 18 months of the Cadet Program would be spent in work assignments in the Police Department. These

work assignments shall include developing youth projects in the precincts (gang details and other youth work), operating the precinct switchboard, and assisting the desk sergeant with calls that come in of a service nature. Careful evaluation of a Cadet's total job performance record would be made by the Personnel Examiner's Office before recommending a Cadet to the Academy.

Police Cadet internships will be established in other governmental and private agencies. These internships will be created only where there is a guaranteed interest in the Cadet Program and for providing competent and sympathetic guidance and training. Cadets will remain on police department payroll and be assigned to internships on a 3-6 month basis. Such internships might be established in: Detroit Commission on Children & Youth; Detroit Commission on Community Relations; Detroit Housing Commission; Mayor's Total Action Against Poverty Program; Franklin Settlement House; Sophie Wright Settlement House and Michigan Civil Rights Commission; Probation & Parole Departments of the Recorder's Court; Youth Bureau of the Detroit Police Department.

I. Early Warning and Referral Service

The first major proposal is an early warning system using the Police Department as a referral service--to refer individuals in need of social help to agencies geared to solve their problems. In poor neighborhoods police are the first agency to see serious marital difficulties, alcoholic problems, juveniles without father figures and other individuals in need of social assistance. Police spend much time taking such complaints but while they recognize their significance, they are not equipped to handle them.

Troubles often continue to brew and sometimes there are serious consequences. For example, a substantial percentage of the murders in this country are intra-family murders. The police themselves feel that many problems could probably have been anticipated earlier when seen in the form of an assault complaint. Such distressed individuals should be referred to a central investigating agency. The police should be trained to anticipate such problems and to share the information which they gather with that agency. They will then be engaged in meaningful crime prevention. They will improve their relations with the community because of a gradual change in image from an adversary organization, whose intervention is to be feared, to one whose help should be sought. In providing such service, the police should work closely with TAP which is concerned in many ways with people in need of help. (It has been observed from studies of the poverty programs throughout the country that those in most need of such programs are not aware of their existence.)

The mechanics of the referral service should be as follows:

- (1) The police will give cards to people when they come in contact with them in their work, telling them where to go for help.
- (2) The police, with the consent of the parties, will turn over some written notation to TAP for its use in contacting individuals to learn their specific problems.
- (3) A TAP worker or community volunteer will be stationed at each precinct station. He will interview arrested individuals. He will contact their families and those in the behavioral field who have worked with the arrestee in the past and whose assistance will be invaluable to the police in particularly difficult cases. He will also help the arrestees to obtain legal assistance.
- (4) The police will be taught the existence of the available community resources at Academy and at roll calls.
- (5) The number of referrals each policeman makes will be considered in his personal evaluation for promotion.
- (6) It is hoped that many individuals will be encouraged to accept help voluntarily as an alternative to formal arrest. Accordingly, the police will be urged to exercise restraint in formally "booking" until attempts at achieving voluntary therapy have failed.
- (7) The Lawyers' Committee will aid in preparing an index of all pertinent social agencies in the city.

II. Precinct Meetings - New Approach

The Washington staff has made a study of the precinct meeting system in Detroit. The system has not realized its potential because it has not reached those age groups most hostile to the police. Most of these young people will never enter a police station; will not have their names written on attendance sheets; and will never go to a meeting sponsored by the police, because they think the police cannot be trusted and will do nothing for them. Since a basic purpose of the program is to eliminate such misplaced hostility, some changes are indicated.

We proposed that the Lawyers' Committee, using the services of Mr. Gardner, Executive Director of the Detroit Lawyers' Committee and other young attorneys of Detroit, sponsor meetings between police and such youths and serve as moderators. With the cooperation of militant leaders, we believe we can secure the attendance of these youths because they trust Mr. Gardner, a young Negro attorney, and will have less fear of meetings sponsored by an organization like the Lawyers' Committee. We are also confident of the cooperation of Commissioner Girardin in securing the attendance at these meetings of patrolmen working in the area which the meeting is being held and their immediate supervisors. In addition, at least one higher echelon official of the police department — either the commissioner or someone from his office, or the precinct inspector — should attend.

The Lawyers' Committee will assist in choosing the subjects for discussion at these meetings. The subjects will be chosen carefully after consultation with leadership of both the youths concerned and the police department, so that there can be hope of some agreement on changes as a

result of such meetings.

III. Precinct Meetings — Some Improvements in the Present Program

As for the meetings now being conducted, they too can be improved. At present, the meetings are sometimes considered an end in and of themselves. Consequently, they only affect the attitudes of those in attendance. We advise that, since the police are blamed for many of the problems of the Negro community, they can improve relations with that community by actively joining with it in solving specific problems. We urge subcommittees be formed in each neighborhood dealing with such problems as: inadequate recreational facilities, inadequate street lighting, lack of shop security, building code violations etc... The policemen on the beat, should be represented on the subcommittees. The Lawyers' Committee will search out young attorneys to serve as staff for each of these neighborhoods. The lawyers can suggest problem areas the community might wish to investigate, and they will also do some of the research necessary in carrying on these investigations. Here our efforts will be in close association with community leaders already engaged in attempting to improve the precinct meetings. Our help will probably be welcomed because many in the neighborhood are not aware of the potential such meetings have for real accomplishment and therefore have difficulty in establishing goals.

IV. Police Academy — Possible Improvement

Another area which has been under study by the Washington staff is the Detroit Police Academy. We have learned from Professor Alan Calkins of Wayne State's Police Administration School that he and most of his students

(all members of the Detroit Police force) believe that training at the Academy is inadequate. A visit to the Academy showed, by and large, a theme supportive of improved Police-Community Relations is not carried throughout the curriculum. That part of the curriculum labeled "police-community relations" is not enough. It is taught apart from the rest of the course, leading recruits to assume that community relations is separate from actual police work. At present, there is no training at all in the behavioral sciences.

The Lawyers' Committee suggests that the Academy be turned over to trained and expert civilian control, as was suggested by the President's Crime Commission. It has been indicated by the Dean of Wayne State's program that police on the Academy staff have low morale because the Academy is a dead end to promotion. Accordingly this recommendation may well be welcomed by many. Police instructors, of course, will still be used in those courses where they have expertise, but they will be assigned on special detail. Since significant turnover is expected on the force during the next three years, an improved Academy will do much to improve overall police skills and attitudes.

The Lawyers' Committee, with the aid of Professor Radelet of Michigan State, the International Association of Chiefs of Police, and the Wayne State Police Administration faculty, would be prepared to develop a new academy curriculum. The curriculum will integrate training in ~~behavioral sciences with training which~~ the police traditionally receive.

Thus, the law of arrests, techniques for making an arrest, and methods for dealing with a sociopathic delinquent will be coordinated. And in all areas, from lessons on patrol duty to traffic control, the faculty would stress the importance of good personal relationship techniques. The new curriculum should take into consideration the results of a survey of the attitudes which the men now on the force have to the training which they previously received. Such survey would be conducted by the IACP under the Lawyers' Committee grant.

V. Recruiting

The department has made much progress in recent years in its recruitment of Negroes. The techniques adopted to cause applicants to come to the department should be supplemented by those actively seeking out applicants. The Lawyers' Committee suggests the following:

1. Full responsibility for recruiting should be vested in the police department. The police are willing — indeed eager — to make changes. A tailored program is hampered because of the overall responsibility of the Civil Service Commission.
2. Increased cooperation between police recruiting and TAP. Many applicants fail to show up for the written examination because they are afraid of examinations, many other fail the examination because of lack of experience in such tests. The program should benefit from working closely with TAP, which offers a course in the technique of taking written examinations. Moreover, TAP can be used to contact those previously rejected for failing to meet the height requirement

standard. We recommend that preliminary examination be given at TAP's Community Action Centers where the doctors are mostly Negro.

3. More attention should be given to the drafting of recruiting brochures and the use of follow-up letters to those who have shown interest. The literature should advise of TAP's examination course, and, if possible, should be signed by members of the Wolverine Bar Association or by others important in the Negro community. It should reflect the Negro community's intense interest in police careers for Negroes. The Lawyers' Committee will assist in preparing such literature.

4. There should be increased use of Negro policemen in the recruitment program. They would not be assigned permanently to the recruiting unit; this would be a supplementary duty. Perhaps the members of the Wolverine Bar can help by accompanying policemen to meetings and explaining the role of the officer in the legal system. The increased use of Negro patrolmen will not only aid in recruiting, but will also improve the morale of Negro officers involved. It demonstrates their importance and increases their self-esteem. It would tend to involve Negro officers more in the mainstream of their own community.

5. The length of duty required for promotion should be reviewed. At present, a patrolman, regardless of education, is required to wait five years before promotion. This requirement badly hampers police recruiting. If the police are to compete with industry for

educated applicants they must provide challenging work and opportunity for rapid advancement. In this regard, the department has already agreed to reduce the duty requirement to three years for graduates of the new cadet program.

5. The Department has also already taken steps in this direction by making those with police contacts eligible for the cadet program. Indeed, a substantial number of those enrolled in the 14/15 year age group have had police contacts.

6. The Citizen's Complaint Bureau -- The Lawyers' Committee also has a few suggestions regarding the Citizen's Complaint Bureau. Although its procedures are fair, and Sgt. Henry Jason provides follow-up absent in other cities by writing letters to complainants thanking them for their interest and telling them of the disposition of the case, the Complaint Bureau is still not widely accepted in the Detroit community. This is due partially to a lack of publicity about the bureau and how it operates. We suggest that the bureau be publicized, that the police publicly invite people to make complaints and that the members of the bureau, or perhaps cadets, be available to take complaints in neighborhood TAP centers. Cadets might also be assigned the task of writing the actual letters. This will help them obtain writing experience and knowledge of what constitutes correct non-abrasive police techniques. Incidents investigated by the Complaint Bureau should be used in that portion of the Academy curriculum which deals with proper police technique for such crucial operations from

a police community relations standpoint as search, field interrogations, and arrest of a juvenile.

7. The Neighborhood Youth Corps Cadet Program -- The Lawyers' Committee also has a role to play in the development of the Junior Cadet Program. The program should be enlarged; the government has funded 200 Youth Corps "Slots". We can obtain a waiver of the regulations which restrict the number to two hundred youths, however, The Committee will then try to expand the program by urging contracts from local merchants providing for payments in kind. For example, if Hudson's Department Store provided a five dollar certificate for each youth at a cost of three dollars, the number of youths could increase although there was no increase in the amount of money available. In addition to contacting Hudson's, we will encourage the Detroit Tigers, local movie chains, and other retail or wholesale establishments to enter into similar agreements.

The Lawyers' Committee advises that the Police Cadet Program (ages 17-21) be stressed. The City budget already makes provision for paying salaries for more cadets than now exist. The Lawyers' Committee will obtain training for them from Wayne State and from our own staff. Cadets should then be used to improve community relations. They could (provided with two-way radios) police playgrounds. They could take complaints at TAP Centers. They could work with younger gangs. In addition, a cadet could be stationed at each precinct to aid the TAP worker in interviewing for the referral system.

MEMORANDUM

TO: Robert Nelson
Ronald Natalie
Jacques Feuillan
Errol Miller

FROM: Harvey Friedman

RE: Atlanta Trip Report --Tuesday, April 11
Through Thursday, April 13, 1967

DATE: April 21, 1967

In discussions with Mr. Spann, it was decided that an evaluation should be made of (1) The Crime Prevention Squad, (2) Education of Police, (3) The Chief's list of supporting civilian agencies and (4) Complaint procedures.

THE CRIME PREVENTION SQUAD

The Atlanta Police Department currently has in operation a Crime Prevention Squad which has as a component a number of offices attached to Economic Opportunity Atlanta Poverty Centers and which will be referred to hereafter as the Community Service Officer component.

Purpose and Goals

The apparent purpose in establishing a Community Service Officer component within the Crime Prevention Squad was to foster better police-community relations by presenting the target area neighborhoods with a more positive image of the Police Department and its officers.

Racial Composition

There are presently seven men serving as Community Service Officers-- six Negroes and one white. The white officer is assigned to work in a predominately white target area. The Negro officers, except in one known case, are assigned to predominately Negro target areas. In that one noted exception, 85% of the residents in the target area are white. It appears,

however, that this officer deals mostly with the remaining 15% Negro population, although he has reported some success in dealing with whites.

This segregated assignment of officers may lead, at least, in some cases to negative results. This was expressed by the Community Service Officers. Residents of the community may learn through stimulus response operations that the man behind the badge can be a good guy after all. Unfortunately, the man behind the badge in the case of the Community Service Officers, is always Negro. This together with the strong rumors that persist of police brutality (which usually means white police brutality) makes generalization of the "positive" response elicited toward the "kind" Negro policeman impossible as to the "mean" white policeman. Indeed, the psychological process might even make the subject more hostile toward the white policeman than he was before he came into contact with the Negro Community Service Officer. Admittedly this is only theorization, but these feelings were expressed by the Negro Community Service Officers interviewed. Employing both Negroes and whites in the same neighborhoods may help to rectify this problem.

The Community Service Officers now in the field have been given authority to recruit assistants. The two Negro officers interviewed are recruiting for whites. They claim that the only limitations placed upon them is that the recruit have no criminal record and meet other general police standards as far as physical and moral characteristics are concerned. They will be classified as guards and it is hoped that they will eventually become policemen.

Economic Opportunity Atlanta Centers (EOA)

Economic Opportunity Atlanta, Inc, the Atlanta local Poverty Program, has twelve major centers in twelve target areas. Several of those centers have satellite units. At the present time, only seven of the centers are covered by the Community Service Officers. One is assigned to each center. Each neighborhood EOA Center provides a private office for the officer assigned thereto in which he may hold confidential discussions with Center clients. Interviews with two officers show that they believe that approximately 60 men are needed in the total Community Service Officer Program to effectively carry out the task assigned.

Facilities

The entire Crime Prevention Squad is now supplied with approximately 7, 8, or 9 automobiles. This often forces the Community Service Officers to double up and it was reported that at times 5 have ridden together in one car. This means of course that the target areas to which these men are assigned are not getting full coverage. It is said that the automobile is the mainstay of the entire operation and that it is essential that each officer be given his own.

Control and Supervision

The Community Service Officers work together with the EOA staff. They attend staff meetings and discuss problems with staff personnel. They are however not under the control of the center, but rather under the direct command of the Crime Prevention Squad housed in police headquarters.

Training and Orientation

It was discovered that none of the Community Service Officers had undergone any special human relations training or any other training geared to make them more efficient in their assigned task. However, noted also, was the fact that each officer has at least a high school diploma; many have had some college training; and one is currently working on his masters degree. The educational level of this component is therefore substantially higher than that of the overall Atlanta Police Department, since police recruits need not have a high school diploma. The officers have also served several years on the police force and have been specifically screened for the job. The criteria utilized in that screening procedure was not discovered.

Orientation as to the Community Service Officer's task is currently given through monthly staff meetings at police headquarters; more informal meetings between the officers; and attendance at EOA staff meetings. What takes place at any such meetings is open to question and was not observed.

Promotions and Transfers

Several men initially chosen as Community Service Officers were found to be ineffective and were transferred out of the unit. On the other hand, the seven men now performing the task are considered highly successful by their superiors. One such officer expects to be promoted to the rank of detective within the month. The result is that he will be promoted right out of his job.

The Atlanta Police Department is currently following a rigid policy of promotion in which a detective serves in the detective bureau and nowhere else. On a prior visit it was suggested that officers in this component be promoted and given the appropriate salary increase and yet be allowed to continue as a Community Service Officer. However, it was explained that Community Service Officers must wear uniforms on their jobs and that detectives wear plain clothes.

The Community Service Officer with whom I spoke, as to this, expects to be promoted to the rank of detective within the next month and informs me that he would much rather remain at his present task in which he feels himself to be highly effective. He would also like to be promoted. The result of his promotion however will be to relieve him of his present duties.

Tasks of Community Service Officers

In interviewing the two Community Service Officers who shepherded me about their target areas I managed to elicit from them a number of tasks which they daily undertake. Their job is non-structured in that they undertake those tasks that they see fit to undertake. Several of the things which they report they are doing are as follows:

(1) Informing residents of an Aldermanic Police Committee as an avenue of complaint against the police department.

(2) Accepting police complaints on an informal basis from community residents - in this regard I am informed of specific incidents in which Negro residents have gone to the Community Service Officers with a complaint of police brutality on the part of white officers. This is an unusual phenomenon in that persons don't generally complain to police officers about other police officers' brutality

(3) Community Service Officers are receiving voluntary unsolicited reports of criminal activity on which they have been able to act and to obtain arrests. In one instance a young Negro boy who is familiar with a Community Service Officer persuaded a thief to give himself up to the Community Service Officer, while warning him not to talk to a white officer because he would be beaten. This incident ^{is} ~~is~~ no particular reflection as to the overall effectiveness of the unit. It may show merely a personal relationship between two persons. However, a number of such incidents were reported and this would seem to point in a direction of the unit's effectiveness.

(4) Community Service Officers are called upon to give speeches and carry on discussions as to the role of the police in schools and churches and with community organizations.

(5) Community Service Officers in several reported cases have actually located jobs for children in the neighborhood.

(6) The Community Service Officer is acting as a recreation technician in the place of the EOA recreation technicians who have been displaced by the lack of OEO funds. Aside from organizing and participating in sport activities, they are also equipped with fire hydrant sprinklers which they will distribute throughout target area neighborhoods this summer.

(7) The Community Service Officers attempt to get people to take pride in their neighborhood by encouraging them in beautification campaigns. The officers give speeches to tenant groups and will even speak personally to those with litter on their property as to the possibilities of cleaning it up.

(8) The Community Service Officers attempt to educate people as to the role of the police. In one instance, we were stopped on the street by a Negro woman who thanked the officer with me for attending a school play the night before. He had done this on his own time and apparently she was most pleased. Certainly this presents a different picture of the police than that which is generally seen these days.

Morale

As indicated by the encounter reported above it is clear that the morale of this unit is extremely high. So high that the officers will spend their off hours working at their job. I heard no grumbling from these men as to poor police pay or lack of promotions, but rather each seemed very pleased with his work.

No hard information based on input data or other objective evaluations was discovered as to the achievements of the component. Everyone interviewed was pleased with its success--but this of course is a subjective evaluation.

Summary

Though no objective data was available, all persons interviewed were convinced that the Community Service Officer component was a valuable tool in fostering good police-community relations.

Suggestions

The following suggestions are presented for consideration and are based on the findings presented herein:

- (1) That the number of Community Service Officers be expanded greatly to cover each target area with two or more men in each such area.
- (2) That there be a racially mixed unit of Community Service Officers within each target area working together towards the common goal.
- (3) That automobiles be provided, so that each man in the field has one.
- (4) That the system of promotion currently employed by the Atlanta Police Department be modified at least as to the Community Service Officer component and that a man be promoted but allowed to remain on as a Community Service Officer.
- (5) That an objective evaluation be undertaken of the overall Community Service Officer component.
- (6) That CSO assistants be recruited from the 17-20 age bracket. This will improve relations with the young and experience gained as assistants will create sensitized youths ideally suited for subsequent acceptance on the regular force.

(7) That special training in human relations be given to all Community Service Officers as well as increased and more structured orientation.

(8) That more tasks be conceived for the Community Service Officers and that they be better structured and spelled out while not restricting the officer in his freedom of action.

POLICE EDUCATION IN ATLANTA

The material presented in the memorandum of April 6th concerning Education of Police in the City of Atlanta was gathered during a prior visit during which only a very short time was devoted to a review of the recruit training program. This past field trip demonstrates that the facts presented therein are substantially correct, but require some modification.

It was discovered that contrary to the statement made in the report of the Atlanta Commission on Crime and Juvenile Delinquency, as to a seven week classroom program, there is in fact only five weeks devoted to the classroom with a sixth week at the target range. The present recruit class will not receive this sixth week "for some time."

Approximately two hours in the total program are spent in human relations training. Courses are listed which might be considered human relations training such as two hours in civil rights and one hour in psychological procedures. It appears however, that the FBI is teaching the civil rights material and apparently from a legal posture while psychological factors concerns traffic control.

There is no formal field program. I am informed, however, that many officers do receive field training in the following manner: recruit training classes are scheduled only when there is a minimum of approximately 40 persons available. Therefore such training is not on a continuous basis. Persons selected from the civil service list for jobs as policemen are sworn in, given badge and gun and sent out into the streets under the "closest supervision." Superintendent Tuggle estimates that at all times there are approximately thirty officers on the streets without training. These persons it must be remembered have the right to make arrests as well as the power to use their guns. One of the Community Service Officers with whom I spoke had waited approximately six months before he went into recruit training. I do understand that this situation has changed and that the waiting period is now much shorter.

The Superintendent proudly demonstrated that his officers were receiving field training, in that they were aiding the arrival of the Vice President who was to give a speech in Atlanta. He explained that the police were out there learning procedures for handling VIP's. It would seem that its a bit late to offer the training after the Vice President has arrived.

Curriculum

An examination of the Atlanta Police Academy recruit training curriculum demonstrates a great disproportion in the amount of time given to some subjects as opposed to others. As an example, 20 hours are devoted to the rules of evidence while only one hour is devoted to police brutality. Some 14 hours are devoted to gymnastics, but only one hour is devoted to juvenile delinquency. On the other hand, three hours are spent in teaching spelling and one hour is devoted to giving tourist information but public relations is only allowed two hours.

Since there were no outlines available as to course content, it is really impossible to say from a review of this training schedule that 20 hours devoted to evidence is inappropriate. On the other hand, it would seem that although spelling is most important, such material should not take up the time of an already skimpy five week course. Also some of the course designations may be misleading: the course entitled psychological factors concerns traffic control problems. The course in police brutality, which I was specifically invited to attend,

Statistics on the number of complaints of police brutality and then in counterpoint other statistics were given showing how very few of these complaints could ever be substantiated.

The lecturer outlined what police brutality was in three phases: 1) unnecessary force in arrest, 2) verbal abuse, 3) police attitude--a badge and a gun does not put policemen above others. A statistical rundown was given as to the number of policemen killed each year.

There were readings from J. Edgar Hoover and from a Wyoming Attorney General's report as to the complicity of the communist movement in the various race riots as well as the Vietnam peace demonstrations. The lecturer concluded by saying that of course not all the blame can be put on the communists.

Admittedly the instructor did re-emphasize the fact that the recruits should treat all persons as human beings and should not forget this fact. But, few concrete examples were given as to the appropriate response in specific cases of community behavior. Rather there was a continuous reference to raw statistics in an effort to demonstrate that most charges of police brutality are groundless.

Guest Lecturers

Superintendent Tuggle, Director of the Police Academy, pointed out the fact that approximately ten guest lecturers are employed during the five week course, while some 52 to 56 members of the police department are also used. Of that number only four are permanently attached to the academy staff.

These are Superintendent Tuggle, Lt. Lane, Sgt. Renolds; and Lt. Salvant. Lt. Lane is a graduate of the John Marshall Law School, the Superintendent has not attended college. The educational background of the other two men is unknown.

Arrest Records

Insofar as persons who have arrest records, the Superintendent is very emphatic that no such person be allowed to join the police force. In answer to the question of whether a man who has been arrested of a misdemeanor and found not guilty of the charge would be acceptable, he said that this would depend on the type of misdemeanor. Even if it was insignificant, he stated that the person was still possibly a criminal and an investigation would be required to find out why he had been adjudicated not guilty.

Summary

The Atlanta Police Training program is substantially as envisioned in the memorandum of April 6 except that it is shorter than stated therein and utilizes less guest lecturers than originally thought. It appears to be too short, too little and too late. This latter aspect of it being too late is particularly pertinent in that it appears as a most dangerous proposition to allow completely untrained policemen on the streets even though they be under "direct supervision." The area of In-Service Training was not approached on this visit.

Suggestions

The memorandum of April 6 presents a number of suggestions scattered throughout. The following are based on the data collected during the past Atlanta visit:

- (1) Lengthen the number of classroom training hours.
- (2) Lengthen the overall duration of recruit training so as to integrate a field training program.
- (3) Prohibit men who have not been through the full course of classroom and field training from acting in the capacity of peace officers.
- (4) Establish a high school diploma as a minimum requirement or in lieu thereof the passing of a high school equivalency test, unless persons come in under a special cadet program.
- (5) Avoid misleading course designations by more fully outlining in advance the content of each course.
- (6) Review the present curriculum with a view to achieving a more balanced schedule.

(7) Include a program in Human Relations training for all recruits.

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(8) Prepare a fuller curriculum employing pre-selected reading assignments, handout materials, and visual aids.

(9) The subject of talks by guest lecturers should be screened with a view to providing only useful lecture material.

(10) The training of the academy staff as well as the permanency and number of instructors should be closely re-examined.

SUPPORTING CIVILIAN AGENCIES FOR LAW ENFORCEMENT

The Chief informed us that a number of civilian agencies were attempting to aid him in police-community relations. He presented us with a list of such agencies. Several of the directors of the various groups were visited in an effort to discover in what type of police-community relations activities they were involved. The following data was elicited in an effort to determine whether there are parallel efforts being made by the various agencies of which they are unaware.

Atlanta Crime Commission

The Director, Mr. James L. McGovern, is concerned generally with the implementation of the suggestions made by the Commission. This means the Commission will be working in many areas only one of which is PCR. No specific programs in PCR have as yet either been undertaken or suggested by this group. There is therefore no substantial parallel activity at this time between the Crime Commission and the Lawyers' Committee. Mr. McGovern has apparently a close working relation with the Chief, but confides that he is just as frustrated by his encounters as is everyone else.

Atlanta Youth Council

This organization was not contacted but it is understood that it was set up in an effort to implement suggestions in the Crime Commission Report in regard to juvenile delinquency. There are no known programs which would parallel those which the Lawyers' Committee might wish to undertake.

Atlanta Commission on Community Relations

The Director, Mrs. Eliza K. Paschall, of this newly formed city governmental commission was interviewed. The Commission has begun its work by holding hearings in target area neighborhoods in an effort to discover just what is disturbing the residents. Mrs. Paschall is looking for a project which Chief Jenkins would feel to be helpful. She says that many of the complaints from the community about lack of service are valid but that the police department is not equipped to perform these services. Of this the public should be informed.

In discussion with Chief Jenkins, she asked what the Commission could do to help the police. She was handed the identical list which we received as to supporting civilian agencies. Jenkins then stated that there was "nothing that could be done to make Peachtree Street safe tomorrow." This is a similar type of argument which he gave us by saying "can you get them to stop throwing bricks this summer."

It is obvious from discussions with the Chief and others that Mrs. Paschall is not acceptable to him as a consultant. I get the feeling that he considers her totally anti-police. In speaking to Mrs. Paschall, however, this feeling was not substantiated.

The Commission although it is investigating what projects are needed, is not at this time undertaking specific program. Furthermore, Mrs. Paschall is unacceptable to the Chief of Police and therefore her agency is one that can be discounted.

The Atlanta Division of the American Social Health Association

The Association was not visited. However, on a prior trip to Atlanta the Chief of Police showed me an "eyes only" booklet prepared by it which concerned itself with prostitution and homosexuality in Atlanta.

It appears that this group is mainly a research outfit and to my knowledge is not conducting or contemplating any action programs in PCR.

The Atlanta Traffic and Safety Council

The Council was not contacted. From discussions with others it is my understanding that they are no way concerned with police-community relations or are they contemplating action programs in this area.

The Atlanta Office of the ACLU

The ACLU was visited on a prior trip to Atlanta. At that time I spoke to Mrs. Florence Robbin, who is resigning from her job within a month or so. Mrs. Robbin had sponsored a booklet entitled "Know your Rights" informing target area residents of their rights prior to and at the time of arrest. She has also conducted clinics at which this booklet is utilized. Furthermore, she prepared a short booklet on cases of police brutality in Atlanta.

Aside from these activities the ACLU has been involved in a chronic alcoholic program and is at this time through its Attorney Charles Morgan attempting to bring a case before the court to decide this issue. Other than this, there are no other known programs which the ACLU is conducting in the area of police-community relations. Mrs. Robbin is completely unacceptable to the Chief of Police due to her blatant anti-police stand.

The Atlanta Office of the Anti-Defamation League

The League was visited and its Director, Mr. Ted Freedman, was interviewed. He explained that the League was hopeful of persuading Chief Jenkins to accept an In-Service Training Program similar to the one it had developed for New Orleans. The grant application for that program demonstrates that it contains substantial materials in human relations training. He is further interested in some sort of community relations program in which the community would be involved.

Mr. Freedman stated that he would gladly cooperate with the Lawyers' Committee and intimated that he would even bow out of a program if we were planning to develop one along the same lines. He too has found the same difficulty in dealing with Chief Jenkins as has Mrs. Paschall, although he is probably more acceptable to the Chief, in representing the local Jewish community.

Conclusion

The list of supporting civilian agencies for law enforcement presented us by the Chief of Police in an effort to demonstrate just how many groups with parallel goals were already harrasing his office does not in fact support his contention. Many of the organizations must be discounted as unacceptable to him while others are not currently in the area of police-community relations.

The Anti-Defamation League seems to be the only organization which is currently considering a program which might parallel one which the Lawyers' Committee may undertake and they have offered to defer their effort to our benefit.

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

MEMORANDUM

TO: JACQUES FEUILLAN
FROM: HARVEY FRIEDMAN
DATE: APRIL 6, 1967
RE: EDUCATION OF POLICE IN THE CITY OF ATLANTA

The Atlanta Police Department currently has a seven-week training program.¹ That program devotes approximately two hours to the specific area of human relations training. The training schedule presents a completely unstructured curriculum in that the specifics of each course of study are in no way spelled out. Furthermore, in most cases training is left to visiting lecturers, making for an even less structured program. Lectures are monitored by taperecorders. The recruit training program has not been investigated further than this, nor do I have knowledge of the in-service training program or even if one exists.

The President's Commission on Law Enforcement and Administration of Justice has found that :

"...In 70 percent of the cities over 500,000 population, new recruits receive at least 8 weeks' training. However, many courses are unsophisticated and incomplete. Instruction is often limited to 'how to do' and there is far too little discussion of fundamental principles. The legal limitations on street policing and the proper use of discretion are rarely stressed. Recruits receive too little background in the nature of community and the role of the police; in two large departments that offer over 10 weeks of training, less than 2 days are devoted to police-minority group relations. Civilian instructors are seldom employed to teach non-technical or specialized subjects--the criminal law, sociology, the history of the civil rights movement. Only a small percentage of departments combine classroom work with formal field training that would acquaint recruits

¹ Report of the Atlanta Commission on Crime and Juvenile Delinquency, OPPORTUNITY FOR URBAN EXCELLENCE (February 1966) p. 180.

with everyday street problems. New educative techniques are seldom used in police academies."²

In this regard the Commission recommends:

"All training programs should provide instructions of subjects that prepare recruits to exercise discretion properly, and to understand the community, the role of the police, and what the criminal justice system can and cannot do. Professional educators and civilian experts should be used to teach specialized courses-- law and psychology, for example. Recognized teaching techniques such as problem-solving seminars should be incorporated into training programs."³

HUMAN RELATIONS TRAINING

Approximately two hours in a seven-week program are devoted to human relations training. It is strongly urged that this is a major deficiency in the Atlanta Police Educational Program. Furthermore, if this is the situation insofar as recruit training is concerned, we can assume that the same deficiency exists in in-service training.

Charlotte Epstein has discussed the need for giving policemen inter-group or human relations training. She points out that:

"Our experience has taught us--and most policemen seem inclined to agree that police work includes much more than just those activities directly concerned with law enforcement...This does not mean, of course, that the primary function of the police officer is not law enforcement. However, we are beginning to realize that, in his work, the policeman needs knowledge and skills which had not been included in traditional police training."⁴

Cities throughout the nation have included within their recruit training and in-service training programs a relatively expansive human relations training schedule. Such a program might be included within the Atlanta course of study.

² President's Commission on Law Enforcement and Administration of Justice, THE CHALLENGE OF CRIME IN A FREE SOCIETY (Wash., D.C. U.S. Government Printing Office, 1967)p. 112.

³ Ibid, p. 112.

⁴ Epstein, "Intergroup Relations for Police Officers", (Baltimore: The William & Wilkins Company, 1962) p.2.

The President's Commission on Law Enforcement and Administration of Justice observes that, "community relations subjects, such as the psychology of prejudice, the background of the civil rights movement and history of the Negro in the United States should be emphasized in both recruit and in-service training programs." ⁵

In this regard the Commission recommends, "Every officer in such departments should receive thorough grounding in community-relations subjects." ⁶

Appended to this memorandum is Section III of the Police-Community Relations Manual prepared by Natalie and Bernhard. ⁷ This section deals with Inter-Group Relations Training. It specifically concerns itself with training in human relations and civil liberties.

It presents a model 40-hour recruit training program as well as a 16-hour in-service training program. Although neither of these programs has ever been employed by a police department, still they have been constructed by the authors after careful and detailed research into the subject. Neither of these programs though, is to be considered an ultimate answer, but rather are presented here merely as possible experimental models which the city of Atlanta's Police Department may wish to utilize.

Possibly a better approach to human relations and civil liberties training is to integrate this type of material within each subject being taught at the academy. The inclusion of such training however, is most difficult to guarantee. In view of this I suggest that the Atlanta Police Department adopt the more compartmentalized approach of a separate training program. That is, that programs should be expanded so as to include the model forty-hour program or some adequate substitute. It may be taught either within one block of time or integrated and inter-spaced throughout the entire training procedure.

Natalie and Bernhard in their "Police-Community Relations Manual" are aware of the inherent problems in this approach but have observed:

"No one sees a training program as a panacea. Old hatreds and partialities are hard to shake off. But that is no reason not to make the effort. Minds can be opened; it happens all the time. Even those who find they cannot rid themselves of emotional prejudices can learn that those prejudices must not be allowed to affect the impartial enforcement of law." ⁸

⁵ Op. cit. THE CHALLENGE OF CRIME IN A FREE SOCIETY, p. 112.

⁶ Ibid. p. 102.

⁷ Natalie-Bernhard, "Police-Community Relations Manual" (Wash.D.C.) Section III.

⁸ Ibid. p.1.

FIELD TRAINING OF POLICE OFFICERS

The model program prepared by Natalie and Bernhard is strictly an academic program with no time devoted to field training. I believe that a field training component is essential and should be made an integral part of any comprehensive educational program for police.

The report of the President's Commission on Crime in the District of Columbia in discussing the curriculum for police recruits in that city's police department points out that the absence of any formalized "field training" brings about a deficiency in the total recruit training program and suggests that this deficiency be corrected. The Commission accepted the IACP recommendation for a formalized field training program and cited the IACP observation in this regard:

"The influence of field training is even more profound than recruit school. The early working experiences with another police officer will have a lasting influence on the officer's remaining service to the Department. If there is no formal field training program, or if the selection of field training officers is left to chance, the recruit will be simply exposed to a variety of experiences without gaining any significant understanding of them. If the older officer himself is incompetent, his incompetence will rub off on the younger man and mediocrity will be perpetuated. If the older man's attitude or philosophy is at variance with that of the profession, a disaffected, disloyal or disinterested recruit may be produced. If the older man's integrity is not absolute, and if the new recruit sees evidence of it, the new man can conceivably be a continuing problem to the Department as long as he is on the rolls."⁹

White police recruits often have had little or no exposure to Negro neighborhoods. I propose that recruits be given an opportunity to visit Negro schools, hospitals, churches, organizational meetings, etc., and that they do so as part of the overall educational program. This will enable them to see the community's side of the story, but also recruits should witness the ghetto from the police side.

They might, for instance, ride in police cruisers; observe the actual booking procedure; or participate in the interrogation process.

⁹ Report of the President's Commission on Crime in the District of Columbia, (Washington, U. S. Government Printing Office 1966) p. 177.

After recruits have witnessed first hand both the community's side and the police side then a short workshop would seem in order in which some intellectual and emotional reconciliation and resolution can be made. A more comprehensive field training program could be worked out with the help of IACP consultants.

The President's Commission while suggesting that classroom training should not be less than 400 hours goes on to specify that this should be spread over a four to six month period so that field training can be integrated therewith.¹⁰

Two possible implications here are that:

- (1) Field training is an essential component.
- (2) Field training should be inter-spaced with classroom training instead of being presented in one block of time.

This latter implication seems reasonable and certainly has its advantages in that what is learned in the classroom can be applied directly in the field and what is experienced in the field can be studied in the classroom.

EXPERIMENTAL PROJECT IN FIELD TRAINING

I propose that an experimental project in the area of field training be undertaken by the Atlanta Police Department. This project has a "big brother" approach and is similar to the project heretofore suggested at the staff conferences as a component of the Detroit police cadet program.

Specifically, I would take a small number of police recruits and assign each to a willing ghetto family. The recruits would work mainly with the children and would spend a certain number of compensated hours at this task. The hours would be inter-spaced with classroom training as discussed above. The idea is that the recruits be exposed to the problems of the Negro community and gain some insight thereto in a personal way through a child and family.

The chances for emotional, as well as intellectual insights and also enhanced sensitivity to ghetto problems in this setting would seem to be far greater than the usually depersonalized ghetto field trips. This program

¹⁰ Op.cit., THE CHALLENGE OF CRIME IN A FREE SOCIETY, p.112.

should be small and considered a pilot project with sensitization questionnaires and other devices being utilized as a basis for evaluation. It may well be that we shall find negative responses in some cases. Nevertheless, a well designed program as an experiment in sensitizing police recruits seems to have some merit.

MINIMUM TRAINING IN THE CLASSROOM AND THE FIELD

The Atlanta Commission on Crime and Juvenile Delinquency in its report observes that:

"The Atlanta Police Department provides an intensive seven-week training program for all new recruits. While the program is probably the best available in the State, it is substantially shorter than the training program of Police Departments in other cities....It is the recommendation of the Committee that the Atlanta Police Department be provided sufficient funds to permit an expansion of its training program."¹¹

In this context, the President's Commission in discussing the minimum number of hours to be devoted to recruit training recommends:

"Formal police training programs for recruits in all departments large and small should consist of an absolute minimum of 400 hours of classroom work spread over a 4- to 6-month period so that it can be combined with carefully selected and supervised field training."¹²

In essence, then the Atlanta Commission recommends that the police training program be expanded; and the President's Commission suggests guidelines as to the minimum number of classroom hours which would be spread over a minimum four to six month period during which time field training could be incorporated therein.

CURRICULUM TO BE CLEARLY SPECIFIED

The recruit training curriculum is currently set out in a schedule which lists only hours and subjects to be taught. The department should follow the lead of other cities outlining with specificity just what will be taught under each subject. This will better prepare the academy staff to gain insight into possible deficiencies in its teaching curriculum.

¹¹ Op. cit. OPPORTUNITY FOR URBAN EXCELLENCE, p.180.

¹² Op. cit. THE CHALLENGE OF CRIME IN A FREE SOCIETY, p.112.

As an example, in the area of search and seizure: Are recent Supreme Court cases being taught? Are recruits being shown the applicability of such decisions? Are recruits being taught how to make a proper search and a proper seizure within the purview of the Constitution as set out in these recent decisions? Is a respect for civil liberties being taught to the recruits insofar as search and seizure is concerned?

GUEST LECTURERS

Currently the Atlanta Police Department is utilizing a great number of guest lecturers who ramble on as they will. I suggest that the number of guest lecturers be drastically reduced and that a permanent academy staff be utilized to fulfill this function. Furthermore, when guest lecturers are utilized their lectures should be as structured as possible.

The President's Commission on Crime in the District of Columbia in examining the recruit training program of that city found that the number of guest lecturers utilized was excessive and felt that this could result in "disorganization in ineffective presentation." In this regard the report stated:

"...The IACP recommended that much of this material should be taught by full-time staff instructors, although the use of guest lecturers should be continued on a more selective basis. The Commission endorses this recommendation and suggests also that the current training staff be enlarged by enlisting the assistance of civilian specialists."¹³

CURRICULUM

The police department academy should be encouraged to amplify its use of visual aides and hand-out material as suggested in the Natalie-Bernhard Manual. These materials seem particularly effective.¹⁴ They could readily be designed in advance and possibly even by the Lawyers' Committee.

¹³ Op. cit. Report of the President's Commission on Crime in the District of Columbia, p. 176.

¹⁴ Op. cit. Natalie-Bernhard, p. 2.

Appendix VI

ATLANTA BAR ASSOCIATION

POLICE-COMMUNITY RELATIONS COMMITTEE

REPORT AND RECOMMENDATIONS ON THE
STRUCTURES AND PROCEDURES OF THE

- (A) ATLANTA POLICE DEPARTMENT
- (B) MUNICIPAL COURT OF ATLANTA,
EXCLUSIVE OF THE TRAFFIC
DIVISION
- (C) CITY OF ATLANTA STOCKADE
- (D) CRIMINAL COURT OF FULTON COUNTY
- (E) FULTON COUNTY PRISON

AS THEY DEAL WITH PERSONS FOLLOWING ARREST

SEPTEMBER 1, 1967

HILTON M. FULLER, JR.
EXECUTIVE DIRECTOR
SUITE 805 STANDARD FEDERAL BUILDING
ATLANTA, GEORGIA 30303
524-3343

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Distribution of this report is restricted to:

1. Judges of the following courts:
 - A. Superior Court, Atlanta Judicial Circuit
 - B. Criminal Court of Fulton County
 - C. Atlanta Municipal Court
2. Members of the Police and Prisons Committee, Atlanta Board of Aldermen
3. Chief of Police, City of Atlanta
4. Members of the Fulton County Commission
5. Solicitor General, Atlanta Judicial Circuit
6. Sheriff of Fulton County
7. Solicitor, Criminal Court of Fulton County
8. Solicitor, Atlanta Municipal Court, Traffic Division

INTRODUCTION

During the summer of 1967, the Police-Community Relations Committee of the Atlanta Bar Association prepared a booklet for distribution to arrested persons which would explain in basic terms and simple language the procedures of the Atlanta Jail, the Municipal Court of Atlanta, and incarceration after a finding of guilt. In planning to circulate copies of this booklet to members of the Committee for their suggestions and approval before publication, it was decided that a more technical but relatively brief explanation of the procedures was needed to accompany the draft. It was felt that the lawyers approving the draft would want to have a lawyer's explanation and justification of the contents of the booklet, something beyond the layman's elementary explanation as presented in the draft.

This report is the explanation we prepared to accompany the draft as it was sent for approval by the Committee. The Committee and the Executive Committee of the Atlanta Bar Association felt that a distribution of this booklet restricted to those individuals listed on the front cover might be helpful.

This report is not intended to be a detailed analysis of the system with statistical evidence in support of all its statements. There was no original intent or desire to publish recommendations; they were added, not as suggested cures for the many complex problems of Atlanta's jails and court systems, but as brief observations which would occur to anyone writing a report such as this. This report attempts to explain, not to uncover. It is a photograph, not an x-ray. The recommendations are reactions, not analytical evaluations. Extensive probing and evaluation are necessary; but they are beyond our intent and the scope of this project.

This report was prepared after several weeks of intensive investigation of the branches of the Atlanta and Fulton County judiciary and law enforcement agencies which are listed on the cover. Although the Director will accept responsibility for any errors or omissions which this report may reflect, credit for its good points must go to our Research Assistants, Robert C. Young and Harris Hines, both law students at Emory University. They have done an excellent job. Extremely valuable advice and consultation has been given by Harvey Friedman, Staff Attorney for the Lawyers' Committee for Civil Rights Under Law.

Our investigation consisted of extensive observation and interviews (see Appendix II) with personnel in all areas covered by this report. In many instances it was difficult to get precise information, not because of lack of cooperation on the part of those interviewed, but because of variations in policy and practice, slight differences in operating procedures from office to office, discretionary authority, and so forth. Such variations are perfectly normal, and we have dealt with them as best we could.

We have not prepared a thorough discussion of the procedures of the Municipal Court because of the work being done by the Atlanta Bar Association Committee on the Atlanta Municipal Court. Their fact-finding report and their recommendations for reform should be published by October 1, 1967. What few procedural changes we have recommended will probably appear in the report of that Committee.

Also it should be noted that the Solicitor General of the Atlanta Judicial Circuit is presently conducting an investigation of the Fulton County Prison. His report and recommendations will probably bear some similarity to ours. Because of the Solicitor General's report we felt the question of the Sheriff's responsibility for the prison to be beyond the scope of our study.

At the conclusion of this report we have included a list of what we feel are beneficial and needed reforms (Appendix I). In spite of our criticisms, we were impressed in almost every area investigated with the genuine concern and competency of those persons in positions of responsibility. The task of the police and the courts is monumental. Their success in the face of huge problems is commendable.

I. Atlanta Police Department and Municipal Court

A. Personnel

The processing of persons following their arrest by the City of Atlanta police is the responsibility of Chief Herbert T. Jenkins. His immediate subordinate with specific responsibility for detention is Superintendent I. G. Cowan. Supt. Cowan has three lieutenants immediately under his supervision, each in charge of an eight-hour watch.

There are three Municipal Court judges in addition to those of the Traffic Division: Chief Judge R. E. Jones, Judge T. C. Little and Judge E. T. Brock.

The City stockade, place of incarceration for persons found guilty of violation of City ordinances, is under the supervision of Ralph Hulsey, formerly with the Atlanta Police Department for twenty-four years.

B. Authority

City of Atlanta police have authority to arrest persons within the City of Atlanta for violation of City ordinances or State laws (misdemeanor or felony). The Municipal Court has authority to try cases involving violations of City ordinances, and to bind over to Fulton County courts cases involving violations of State laws.

C. Procedure

1. Medical Care

On being arrested, persons thought to be in need of medical attention are taken directly to Grady Hospital, as are persons arrested and charged with operating a vehicle under the influence of alcohol or drugs. In the latter cases, the arrested person may request or reject a blood test. The Atlanta police, the City stockade, and the Fulton County prison have access to the medical facilities of Grady Hospital for treatment of persons under their control.

2. Booking

On being arrested by Atlanta police within the city limits of Atlanta, the accused is taken to the City police station at 175 Decatur Street, S.E. which also houses the City jail. When brought into the police station, the accused is "booked." At this time he is searched, his personal belongings are taken from him for safe keeping, his fingerprints and, in the case of State law violators, his photograph, are taken, and he is informed of the charges against him. No written copy of the charges is presented to the accused unless he is released on bond. It is customary for the accused to be left with his watch and

ring(s). Apparently, the practice of leaving money with the prisoner varies, depending on the condition of the accused. If he is very drunk, all except one dollar of his money will probably be taken from him. If he is sober and wants to keep his money, he will be allowed to do so. The police indicate that they have great difficulty with pick-pocketing in the jail. No receipt is given to the prisoner for his property. All property is returned to the prisoner when he is released if he asks for it unless it is illegal or stolen property. If the prisoner is later transferred to another facility, his property is sent with him. At this point, the prisoner is informed of the amount of his bond.

The prisoner is next taken to one of four floors in the jail: traffic violations, State law violations, City ordinance violations, all women prisoners. Drunk prisoners are segregated from other prisoners until they are sober.

3. Telephone calls

Drunk prisoners have no access to telephones until they are sober. Pay telephones are located within the cell areas, and prisoners have free access to them (unless they are on the jail floor for State law violators, in which case they must ask to leave their individual cell to have access to a pay telephone). Adjacent to the telephones is a list of approved bondsmen in Atlanta and their telephone numbers. The police are not allowed to recommend a bondsman, but may only point out the list to the prisoner. At present, it appears that the practice at the City jail is to allow a man to make as many telephone calls on the pay telephones as he is able to with the money he has. If a man is without the necessary change to make the phone call, the police indicate that they will make change for him. If the man is without the necessary money to make the phone call, the police indicate that they will allow him to use their telephone immediately adjacent to the jail cell area. There seems to be no fixed policy regarding telephone calls on the police telephone, nor does there seem to be a firm policy regarding a man's contacting someone who might be able to take some action regarding his incarceration. Whereas the police indicate that they will see to it that a man is able to contact some responsible person outside, there seems to be no set policy or guarantee that they will do so. A great deal is apparently left to the discretion of the turnkey. Another means of contacting a professional bondsman is through the use of a white card known as a bond request. Any prisoner may fill one out, and the card is then delivered to the main floor of the jail, where the bonding company to whom it is directed may pick it up and enter the jail to see the prisoner and investigate the possibility of posting bond for him.

4. Bonds

In cases of persons accused of murder, rape, or armed robbery, there is no provision for bonded release from jail prior to trial. In other cases, release is obtained through one of four procedures:

- a. Cash collateral/cash bond (terms used interchangeably). Cash collateral is available only for City ordinance violators, but it is not available for all such offenses. The offenses for which it is available, and the amount of collateral for each offense are determined by agreement among the Municipal Court judges. The police have no authority to alter the amount of collateral. The prisoner is informed when he is booked of the amount of collateral required for his release, and if he can post the required amount at any time before his trial in Municipal Court, he is released immediately. If he fails to appear for trial, the court can issue a bench warrant for his arrest, but in practice, this money is forfeited as a fine, and the matter is dropped.

- b. Property Bond

Property bond is set for all State law violations (except murder, rape, and armed robbery) and for the few City ordinance violations not covered under cash collateral. A prisoner may be released until trial if he can put up cash equal to the bond, (this is not the same as "cash bond" discussed above), or if a person owning real property will sign the accused's bond, the property serving as security for guarantee that the accused will appear in Municipal Court for trial. The lieutenant in charge of the particular watch exercises wide discretion in accepting or rejecting the signed bond of a property owner. Such matters as owner's equity, length of ownership, and so forth, may be taken into consideration in making this determination. A prisoner will be released on property bond posted any time prior to trial. When a prisoner has been released on property bond, secured by cash or real property, his failure to appear for trial will ordinarily result in the issuance of a warrant for his arrest.

- c. Professional Bondsman

If a prisoner is unable to obtain his own property bond, he may contact a professional bondsman to provide it for him. Through the use of the telephone or white card discussed above, he may contact such a bondsman. The bondsman is then allowed to visit the prisoner in the jail to obtain personal data on him. Licensed bondsmen are permitted by law to charge 10% of the first \$500 of the bond, and 5% for all above that amount.

d. Release on Recognizance

On very rare occasions, a prisoner will be allowed to sign his own bond. This is a discretionary matter with the lieutenant in charge of the watch, and seems to be reserved for persons of known high reputation.

If a prisoner is able to make bond in any of the four methods described above, he is released immediately.

D. Court Procedure

If a prisoner is unable to make bond, he will remain in jail until he is taken before one of the Municipal Court judges. This is usually within 24 hours. Apparently, the only reasons a man might stay in jail longer would be because he refused to give his correct name to the police authorities, in which case they cannot try him, or because he was arrested between approximately 12 noon Saturday and 8:30 a.m. Sunday, in which case he would have to wait in jail until 8:30 a.m. court on Monday morning.

In Municipal Court the judge is finder of fact and arbiter of law; there is no right to a jury trial. Whether being taken directly from the jail to the courtroom, or whether appearing there later after having been released on bond, the appearance is for one of two purposes:

1. A TRIAL for violation of a City ordinance

If the accused is charged with violation of a City ordinance, he will be tried before a Municipal Court judge and sentenced at that time. The volume of business conducted by these courts is overwhelming and they sometimes lack the formality which we see in other courts.

All persons brought before the City of Atlanta Municipal Court are asked how they plead. If a plea of "not guilty" is entered, the judge swears in the arresting officer and allows him to "state the case." Other prosecution witnesses are also sworn and allowed to testify. The accused is then given an opportunity to make a statement of his side of the case. Defense witnesses are also sworn and questioned. We observed no instances of an accused's being informed of his right to remain silent.

When the arresting officer fails to appear in court, the various judges treat the situations differently. On occasion, the case will be dismissed for want of prosecution. At other times, the judge will "check" the case, postponing it until the officer can be in court. The arresting

officer need not be in court if the case involves a plea of guilty to a charge of drunkenness. In all other cases, no adjudication of the case is permitted unless the arresting officer is in court. If he fails to appear, the judge uses his discretion in whether to dismiss or not, depending, it seems to us, upon the seriousness of the offense.

The Municipal Court has authority to enter a sentence of six months and/or a \$500 fine for each violation of a City ordinance. Most sentences are of the "either-or" type. If a man cannot pay the fine, he will spend one day in the City stockade for each \$1.00 of the fine. If, at any time, he can raise the balance of the fine, his sentence is reduced accordingly. That is, if he is sentenced to "30 days or \$30" and pays the \$30, he goes free. If, after spending 10 days in the stockade, he can raise \$20, he goes free.

The only records of the sentences handed down by the Atlanta Municipal Court are kept in the files of the Atlanta Police Department. In an apparent attempt to facilitate the handling of the heavy court calendar, the judges do not send for the record of a person's past convictions before sentencing him. Only if the judge remembers sentencing the defendant for a previous violation(s) will the defendant's past record have any bearing on the sentence entered by the judge in the case at bar. There is no court reporter, and no formal record of the trial is kept. If there is an appeal, it is to the Superior Court of the Atlanta Judicial Circuit by certiorari, a rather complex and technical procedure. The court record is stipulated to by the attorney making the appeal and the judge. In some instances, an attorney will bring a court reporter with him or make a tape recording of the proceedings.

Following each session of Municipal Court, a police bus transports all sentenced prisoners to the City stockade. Usually, during the first or second day at the stockade, a prisoner is allowed to make one telephone call. If the prisoner is without money, prison officials indicate that he will be allowed to use the prison telephone for one call. At the stockade, prisoners are given various tasks, most frequently in the form of farm work at the stockade or assignment to another city agency for day work in the City of Atlanta.

Prisoners may, if they choose, keep their money with them. No attempt is made to keep money away from prisoners because to do so would require nightly "shake-down" inspections. (Prisoners on work details around the City often return with money from friends or family, given to them while on the job during the day). Prisoners' outgoing mail is uncensored, and there is no limit on the number or destination of letters sent. Prisoners can purchase paper and envelopes (ten cents) at the prison store.

In talking with Municipal Court judges, it becomes evident that prisoners frequently write the judges asking for parole or a reduction of sentence. The frequency with which this is granted is undetermined. For serving "good time," a prisoner may have his sentence reduced by the head of the stockade (Ralph Hulsey). Such reduction is based on good behavior, quality and quantity of work done, and so forth. Mr. Hulsey can release on his own authority for "good time." If a prisoner wants to pay off the balance of his fine, he must be transported to City jail where all paper work and cash exchange is handled.

There is one other method by which a person may satisfy his penalty. In some instances, the judge may allow a "station house fine." This is a system by which one found guilty and fined may work off his fine at City Jail; the prisoner works a portion of each day for each dollar of his fine. (He is usually allowed a part of the day to work at a regular job or to seek employment). Rather than being incarcerated at night, he is allowed to go home. It seems that this "accommodation" is given only to frequent violators who are well known to and easily located by the police department. Technically, authority for this type fine rests with the judge. However, most frequently the police determine who will serve in this way (after the man has been sentenced by the judge). The application of the station house fine appears to be rather limited.

There are three probation officers operating under the supervision of the Atlanta Municipal Court. The judge of Municipal Court may probate the sentence, turning the prisoner over to the probation officer for supervision, or the judge may sentence the prisoner to the City stockade and later parole a prisoner for a portion of the sentence. Generally, there are three types of probation: (1) The first is normally used only for persons with no prior record, frequently youthful offenders, persons whose job might depend on not having a police record, and so forth. Such cases are handled as open charges and are marked "cases to be dismissed at a later date." There is no finding of guilt here. The offender is not required to report to the probation officer at all, but is required to maintain exemplary behavior for the period of probation. If he passes the period of probation with no further offenses, the case is dismissed. Otherwise, he is prosecuted. In essence, this amounts to checking the case for an extended period to watch for behavior improvements. There are usually between 100 and 200 such cases active and on file in this category. (2) Offenders in this category are placed on probation as a matter of record. Here, there was probably no past police record, but for some reason it was felt that the offense warranted a more severe measure and closer

supervision than under category one. The offender may or may not be required to report regularly to the probation officer. The probation officer will normally maintain contact with the offender's family, parents, employer, and so forth. There are usually between 50 and 60 such cases active and on file in this category. (3) Offenders in this category are usually guilty of a more serious offense and require closer supervision. He must report on a regular basis to the probation officer. Failure to report will usually result in the issuing of a warrant for the arrest of the offender. In this third category, there are usually about 150 cases active and on file. (As a matter of interest, traffic offenders unable to pay fines at the time of sentence are often probated to a probation officer for installment payments). Unfortunately, probation officers are each assigned to a judge to act as fill-in for the judge's clerk and bailiff in their absence. This seems to involve approximately one-sixth of their time, which obviously takes them away from their probation function.

2. A HEARING for violation of a State law.

If one is arrested within the City of Atlanta by City of Atlanta police and charged with violation of a State law, he is taken to the City jail and booked. He has a hearing before a Municipal Court judge usually within 24 hours.

This hearing is not for an adjudication of guilt or innocence but is to determine if there is sufficient cause to bind the case over to one of the Fulton County courts. In these hearings, as in the "trials" for violation of City ordinances, the accused is asked how he pleads: guilty or not guilty. In practice, the hearings are conducted exactly as the trials for violation of City ordinances, the only difference being that the accused is bound over rather than sentenced. If he is bound over, he is transported to Fulton County jail along with his personal belongings. At the hearing, the Municipal Court judge sets the amount of bond. If a man has been out on bond awaiting his hearing before the Municipal Court judge, and if he desires to continue to remain free until his trial before the Fulton County courts, he will now be required to post a second bond (at the Fulton County prison). It is patently obvious that some system needs to be devised whereby the Municipal Court judge may merely transfer the bond from his court to the Fulton County court. If an accused feels that the bond set by the Municipal Court judge is too high, he may ask that judge to reduce it, or he may contact a judge of the Fulton County courts and ask that the bond be reduced.

II. Criminal Court of Fulton County and Fulton County Prison

A. Personnel

The two judges of the Criminal Court of Fulton County are Judges Daniel Duke and Woodrow Tucker. In charge of Fulton County prison is Chief Jailer Carl W. Smithwick.

B. Authority

The authority of this court extends to misdemeanors committed in Fulton County. Basically, persons come under this authority in one of two ways: they are bound over from a lower Fulton County court (Municipal Courts and Justices of the Peace, primarily), or they are arrested in the unincorporated area of Fulton County. Fulton County prison is for pre-sentence incarceration.

C. Procedure

1. Reason for incarceration in Fulton County prison.

a. Bind-over from City of Atlanta Municipal Court.

Persons in this category are discussed under I.D.2 above, page 8.

b. Bind-over from other Municipal Courts in Fulton County.

The courts in this category are located in the incorporated areas of Alpharetta, College Park, East Point, Fairburn, Hapeville, and Roswell. These courts are generally referred to as Recorder's Courts. Each of these municipalities has its own police force. These courts meet only once a week, which means that an arrested person who is unable to post bond might wait six days in jail before receiving a hearing. Following the hearing, if a prisoner is bound over, he is transferred immediately to Fulton County prison.

c. Bind-over by Justices of the Peace.

Although this area of the court structure has not been thoroughly investigated, personnel at Fulton County prison indicate that justices of the peace often are very lax in giving speedy hearings to persons arrested and taken to Fulton County prison under their direction. Such persons will be incarcerated in Fulton County prison both before and after their committal (bind-over) hearing.

d. Arrest in Unincorporated areas of Fulton County.

Police services to the unincorporated areas of Fulton County are furnished by the City of Atlanta Police Department under a contract between Fulton County and the City of Atlanta. There are no county ordinances, and thus any person arrested in the unincorporated areas is charged with violation of a State law and taken directly to Fulton County prison where an accusation is immediately filed. Bond is set by the booking officer. If the accused posts bond, that constitutes a waiver of his right to a commitment hearing. If he does not post bond, he gets no commitment hearing, but merely awaits his arraignment in Fulton County Criminal Court, which could take as much as seven days. Officials of the Fulton County Criminal Court indicate that a prisoner must demand a commitment hearing in order to get it. An accused unaware of his right to a commitment hearing and unable to post bond might well remain at the Fulton County prison for as much as a week without an appearance before a magistrate. There have been cases where persons have remained there much, much longer.

2. Fulton County prison procedures.

a. Booking.

On arrival, prisoners are searched, all money (except change for the telephone) is taken from them, three complete sets of fingerprints are taken (for City of Atlanta records, FBI and GBI), and all are photographed from the chest up (front and side views). Watches and rings are left with the prisoner. The money taken from prisoners is recorded in the prison "bank." This is an electronic data-processing cash register that keeps a record of all "purchases" made by a prisoner during his stay in the jail.

b. Telephone calls.

After being booked, a prisoner is put in a large cell that contains a pay telephone. If there are a large number of prisoners being booked, it may be several hours before an individual prisoner gains access to the one pay telephone available. There is a listing of approved bonding companies and their phone numbers near the pay telephone. There is no provision made at the County Prison for contacting bondsmen through the use of a card system such as that employed by the City jail. The personnel at Fulton County prison indicate that if a prisoner is without money, they will allow him to make one phone

call on the prison telephone, or they will make the call for him. There appears to be no fixed practice in this regard. Once a prisoner is taken from the telephone cell to the permanent cell area, he no longer has access to a telephone. All incoming and outgoing mail is censored.

c. Bond.

All prisoners bound over from other courts in Fulton County to the Fulton County Criminal Court or the Superior Court of the Atlanta Judicial Circuit must make bond at the Fulton County prison. In many instances, this requires posting two bonds for one offense. The jail personnel cannot accept cash as security for a bond because to do so would cause them to handle large amounts of money. To gain release from prison, prisoners are therefore forced to seek as a bondsman some outside party or professional bonding company who will secure the bond with property, unless the prisoner is eligible for the pre-trial release program.

For approximately three years, the Fulton County prison has had a pre-trial release officer working full time on the prison staff, at present Mr. Eugene Brown. The program was established by Judge Luther Alverson of the Superior Court of the Atlanta Judicial Circuit. Approximately 35 to 45 persons are released under this program each month. Only about 1% of those released have failed to appear at trial. The pre-trial release officer makes a daily check of the list of prisoners admitted on the preceding day to determine eligibility for release. Consideration is given to previous offenses, present charge, job, family background, church affiliation, and so forth. (Persons charged with murder, rape or other serious sex offenses, violations of State liquor laws, armed robbery and gambling are not eligible for the pre-trial release program. Neither are demented persons or those whose bonds have been set at high amounts). On very rare occasions, a prisoner may be allowed to sign his own bond. However, in the vast majority of cases, a reliable person living within a 50 mile radius of the City is required as a co-signer before release is possible. In practice, this program does not seem to depend on lack of financial ability to hire a bondsman. Often, the pre-trial release officer may find that a prisoner could raise the required money for a professional bondsman; however, if in his determination it would put an undue financial hardship on the prisoner, he may release him under the pre-trial release program.

3. Court Procedures.

a. Counsel.

At present, as a part of the Legal Aid program of Fulton County, there are two full-time lawyers functioning as court-appointed counsel for persons unable to hire a lawyer. One full-time investigator is also on the staff. Their services are provided by the Legal Assistance Program of Economic Opportunity of Atlanta, Inc. (EOA) as developed by contract between EOA and the Legal Aid Society. Each Monday morning, a representative from the county Sheriff's office and the investigator with Legal Aid visit the Fulton County prison, contact all prisoners admitted since the previous Monday, determine if they have counsel, and inquire as to how they intend to plead. All of these prisoners are arraigned the following morning at 11:00 a.m. (Note: this does not include persons released on bond during the previous week). At the arraignment, if a prisoner pleads "not guilty" or does not know how to plead, the judge appoints one of these two full-time lawyers to assist him. Apparently, this is the first time these persons have been attended by counsel. If it is possible in the docketing of the court and the preparation of the case, these cases are tried on the following Thursday or Friday morning. (It should be remembered that we are dealing here with misdemeanors. The Fulton County Criminal Court seems to be attempting to meet the standards set forth in Harvey v. Mississippi 340 F2d 263 (1965), a 5th Circuit Court of Appeals case).

b. Jury Trial.

There is a right to a jury trial in the Criminal Court of Fulton County. However, it must be requested. Failure to request it constitutes a waiver. There need be no affirmative or knowledgeable waiver, but merely a failure to request.

c. Sentencing.

In trials before the Criminal Court of Fulton County a defendant's record of past convictions is given careful consideration before entering sentence in the case at bar. This record plays a substantial role in determining what the sentence should be.

d. Probation.

The Criminal Court of Fulton County has available to it the extensive services of its own probation department, whose facilities and organization are independent of the Probation Department of the State of Georgia. A thorough investigation of this department was not made but our observations indicate that the Court makes frequent and careful use of this department.

Judge Daniel Duke currently makes use of a committee of Atlanta businessmen who aid him in placing persons in jobs. These businessmen will hire a man on recommendation by Judge Duke. Often Judge Duke will probate a man's sentence and give him an opportunity to take such gainful employment as one step in rehabilitation. The Judge makes use of the program in situations where he feels some real progress might be made if a man were given a steady job with regular income. He makes it clear to the offender that he is being given a chance to remove himself from the jurisdiction and burden of the court; the degree of success of the program is undetermined but appears to be noteworthy.

As a matter of interest, most of the court procedures discussed for Fulton County Criminal Court are those employed by Judge Daniel Duke. Judge Woodrow Tucker has just recently assumed the bench, and it is undetermined at this time what policies he will follow.

III. Special Situations.

A. Procedures for juveniles.

The Juvenile Court of Fulton County has no jurisdiction over persons who have passed their seventeenth birthday. For persons between their fifteenth and seventeenth birthdays charged with violation of a State law, the Juvenile Court may exercise jurisdiction or it may bind the case over to the Superior Court of the Atlanta Judicial Circuit or the Criminal Court of Fulton County if the Juvenile Court feels the offender should be tried as an adult. If the offender has not yet reached his fifteenth birthday, the Juvenile Court of Fulton County cannot bind the offender over but must hear the case.

In all instances involving felonies, the Superior Court may take jurisdiction over juveniles. In practice, this is seldom done. The Criminal Court of Fulton County has no power to take jurisdiction; it may hear the case only if it is bound over by the Juvenile Court. As a rule, persons who have not reached their seventeenth birthday and who are arrested for violation of a State law are taken by the arresting officer directly to the Juvenile Shelter. All persons under seventeen who are arrested for violation of a City ordinance are referred immediately to the juvenile authorities.

B. Procedures for chronic alcoholics.

On July 14, 1967 Judge Jack Etheridge of the Superior Court of the Atlanta Judicial Circuit reversed a conviction of the Atlanta Municipal

Court wherein a professed chronic alcoholic had been sentenced to the City stockade for public drunkenness. Judge Etheridge held chronic alcoholism to be a sickness and not a crime but rather a defense to criminal prosecution. Whether or not this decision is binding on all future Municipal Court cases is of some question. It remains to be seen whether the Municipal Court will follow the broad spirit of this decision, and whether or not the City of Atlanta will make provision for medical treatment of chronic alcoholics in place of the present practice of incarceration. At present, there is no formal procedure for treatment available to the Municipal Court. There has been some progress made through cooperation with the Emory Alcohol Rehabilitation Project, but treatment under this program is ordinarily possible only after serving a sentence in the City stockade if such was imposed by the court. One Municipal Court judge has expressed the opinion that the court will begin sending known chronic alcoholics to the City stockade for three or four days to "dry out" and then refer them to the Emory Alcohol Rehabilitation Project.

C. Sworn and Unsworn Statements.

In any criminal proceeding in Georgia, there is a unique provision regarding statements made by the defendant in court. The defendant may, at his option, make a sworn or unsworn statement on his own behalf. If he elects to make an unsworn statement he may do so without subjecting himself to cross-examination by the prosecution. It has been our observation that few defendants, if any, are made aware of this procedural peculiarity. The few instances in which we have observed the use of the unsworn statement have involved defendants in the Criminal Court of Fulton County who were represented by counsel. Defendants in the Municipal Court may use the same device, but we have observed no one doing so, nor have we observed anyone being informed of this device.

APPENDIX I

Recommendations:

A. Police Department.

1. All persons, when booked, should be given a copy of the charges against them and informed when they will appear in court.
2. A standard procedure for handling DUI cases, drug cases, and ill persons should be formulated and explained to all officers. Many do not seem to know when and under what circumstances arrested persons should be taken to Grady Hospital.
3. Regardless of the condition of the prisoner, there should be a standard procedure for taking from each prisoner all of his money for safe-keeping. No more than one dollar should then, immediately, be returned to him in the form of change for the coin telephones.
4. A receipt should be given to each prisoner for his property to serve as a reminder to him that he has property in police possession. Many prisoners never claim their property.
5. A clear statement should be made to the accused at the time of booking of the possibilities of bond, how it can be obtained, et cetera. He should also be informed of the white card system of contacting bondsmen so that he will not unnecessarily use his dime for the telephone when it might be better used to contact family members.
6. When booked, the accused should be told when he will go to court. Some might prefer not to pay the cost of a bondsman if they knew they were going to court within a few hours.
7. Prisoners' access to telephones is excellent. However, the regulations on the number of phone calls permitted and guaranteed seems rather hazy. Each prisoner should be clearly guaranteed the right to make at least one completed phone call to a responsible person.
8. If cash collateral is available for the prisoner, it should be made clear to him what it is and how it differs from bond.
9. A clear policy statement should be set forth as to the requirements for posting of property bond by a private citizen. At present, there is great discretion on the part of the lieutenant in charge of the watch. Perhaps this is as it should be. But the criteria used by the lieutenant and the means for selecting persons allowed to sign such a bond should be more clearly stated.

10. It seems that the practices of professional bondsmen are not always exemplary. Controlling this is admittedly difficult and beyond the scope of this study. However, it would seem that there might be a need for a periodic thorough review of the companies licensed by the city. Often, police officers are aware of shady (not illegal) practices, but are helpless to correct the situation beyond a strong reprimand.
11. Release on recognizance is very limited at the City jail. We would suggest that a pilot program be tried for a year, perhaps in line with the standards set forth by the Vera Institute of Justice. An attempt should be made to release more persons on recognizance and then maintain careful and complete statistics on the matter to determine if it is in fact such a risky practice.
12. Coin changers should be provided near the telephones throughout the City jail.

B. Municipal Court.

1. Provision should be made for holding Municipal Court on Sundays to eliminate the present situation requiring persons arrested on weekends to sit in jail until court on Monday morning.
2. Greater effort should be made to convene court at the appointed hour. Often it is 30 minutes late, and for no apparent reason.
3. The lack of formality and orderly procedure in Municipal Court is sometimes appalling. Granted, there is a great burden of work on these courts; however, prisoners are usually confused, disoriented and angered by the confusion swirling about them as they attempt to tell their side of the story to a judge who is talking to other persons simultaneously, and who is surrounded by milling-about clerks, bailiffs, detectives and police officers. Great effort should be made to bring order out of the present chaos. The physical facilities available to the Municipal Court simply are not adequate. There are no witness rooms, and no rooms for holding arrested persons. If sequestration of witnesses is requested, there are no facilities available for these witnesses, other than the corridors. All of these factors contribute to the somewhat informal and disorderly conduct of the Municipal Court.
4. When a prisoner is brought before the Municipal Court, it should be clearly stated to him that he is charged with (1) violation of a City ordinance for which he is about to be tried, or (2) violation of a State law about which he is to undergo a hearing to determine if there is sufficient cause to bind him over to a Fulton County court.
5. All defendants should be informed of their right to remain silent.

6. Police officers and detectives should be required to leave fire-arms and other accoutrements of force outside of the courtroom. Often this is not done.
7. Prisoners often leave the courtroom with only the vaguest notion (or perhaps no notion) of what has been done to them. On occasion a man is dismissed and then must be told that he may leave the courtroom. Or he may be bound over and led from the courtroom shaking his head in confusion in response to a question from his family as to what has happened to him.
8. Whenever the judge is considering checking a case, he should ask the accused how he feels about postponing the case, and whether such a postponement would work an undue hardship on him. Most judges are good about dismissing for want of prosecution if the officer just fails to appear. If the offense is a more serious one, they may check it anyway. But it would seem that some opportunity should be given the accused to present his viewpoint.
9. Judges should see to it that there is no questioning of the accused by officers or detectives. Often the arresting officer is permitted to rebut testimony of the accused or to cross-examine him. Clearly this is improper procedure. The accused should be made aware of his right to question the officer, and the accused should have to answer only those questions put to him by the judge.
10. At present, a prisoner may reduce his sentence only by paying the balance of his fine. Thus, if he is sentenced to a \$30 fine and cannot pay it, he serves 30 days. If, after serving 20 days he can raise \$10 he is freed. But if when sentenced he has \$10, he cannot pay it and thus reduce his sentence to 20 days. This means that if he loses or spends his \$10 before he serves the 20 days, he is out of luck. If jails want truly to lower their populations, a means of allowing partial payment in advance would help accomplish the goal.
11. At the time of sentence, the judge generally has no record of the man's past record. The vast majority of cases are sentenced with no official knowledge by the judge of the past record. This should be corrected.
12. There needs to be a further and better utilization of the probation department of the Municipal Court. A system might be devised allowing persons in the City stockade to hold a job during the day to provide for family, et cetera. Certainly the court should be able to probate sentences and have some assurance that the man would receive attention and periodic supervision.
13. In setting bond, it would be helpful if each judge had a list of questions he asked every accused to aid the judge in setting bond. Often there are reasons that a customary bond should be lowered (if a man cannot make a high bond and thus remains in jail, he might lose his job, et cetera). Prisoners most frequently are unable to articulate these reasons, and the judge should attempt to elicit any such information from them.

14. It is patently obvious that after binding-over, a bond already posted for the appearance in Municipal Court should be transferrable to the Fulton County courts. At present, many persons are being forced to pay two bondsman's fees for the same offense, when it would be more just to allow transfer of the bond from one court to another.
15. It is suggested that consideration be given to making available to the Municipal Court a full time city prosecutor. In many instances Municipal Court judges or officers are able to represent adequately the City's interest. However, if the judge represents those interests, then he is prosecutor and judge. If the officer represents the city's interests, he becomes chief witness and prosecutor. In many cases, this conflict does not arise in such a way as to cause problems. However, on numerous occasions involving more complex legal and evidentiary problems, this dual role creates a difficult if not impossible courtroom situation. A city prosecutor available at all times to the court would alleviate this conflict.

C. City Stockade.

1. During the period that stockade prisoners are kept in the receiving quarters where they are allowed to sleep and acclimate themselves to jail life (the first 24 hours), it would be well if they were given a brochure explaining just what the stockade procedures are, what will be expected of them, what their schedule will be, et cetera. Although prisoners may now be told this information, it is the sort of thing that they forget easily, particularly when it is told to them early in their incarceration and they have no "experience" to relate it to.
2. Telephoning procedures from City stockade should be standardized and telephones perhaps made more easily accessible. There should be little or no difficulty in putting pay telephones in more easy reach of prisoners. At present, one phone call is allowed except in cases of emergencies.
3. Prisoners at City stockade should be given some facility (a small box, if nothing else) in which to keep shaving gear, etc. At present they have no place to keep even toilet articles.

D. Fulton County Prison.

1. Processing-in at Fulton County Prison seems to be fairly orderly. However, the excessive time that some persons must wait before having access to a telephone seems unnecessary. There appears to be no real reason for not allowing a person access to a telephone while he waits to be booked (sometimes as much as four hours). For a man expected at home at a certain time, such a delay would cause unnecessary anxiety on the part of family, and perhaps even involve the police in a search.

2. There is a need for a more formal standardized guarantee of the right to use the phone and to contact some responsible person on the outside.
3. A card system similar to that used at City jail for contacting bondsmen should be implemented.
4. The pre-trial release program used at Fulton County prison is commended and every attempt should be made to make it available to more prisoners. Prisoners should be told of the program.
5. Some plan should be developed whereby a prisoner with enough cash to cover his bond and who wishes to post it as security would be allowed to do so. At present, the Prison will hold \$500 cash for a man in the Prison "bank." But they will not take the same \$500 and allow the prisoner to use it to make a \$500 bond. (They also accept payment of fines in cash). Instead, he is forced to withdraw it and turn it over to a professional bondsman, along with 10% commission, in order to secure his release. A change in the procedure could probably be effected by a mere administrative order.
6. At present all in-coming and out-going mail at Fulton County prison is censored. It is suggested that special provisions be made for allowing out-going uncensored mail if it is addressed to officials of the courts.

E. Fulton County Criminal Court.

1. The investigations leading to this report did not permit a thorough study of the other municipal courts in Fulton County. However, it appears that some reforms might be in order, particularly in light of the fact that a person might have to spend six days in one of these municipal jails before going before a magistrate. Court sits in these municipalities only once a week. Also, personnel at the Fulton County Prison indicate that justices of the peace are often unnecessarily slow in giving bind-over hearings to persons incarcerated there at their direction. Often such persons wait excessive lengths of time before going before a magistrate.
2. Some very definite provision needs to be made for persons arrested in the unincorporated areas of Fulton County. Such persons apparently get no commitment hearing unless they demand it, and if they do not, they will sit in jail for as much as a week before going before a magistrate or seeing court-appointed counsel. If bond is posted it is treated as a waiver of the commitment hearing.
3. Great effort is being made by Judge Duke to utilize the Legal Aid lawyers available to the court. It seems that there is a greater likelihood than ever before that the defendant will be represented. Some effort might be made to contact the defendant and give him counsel at an earlier stage in the judicial process (a daily rather than weekly check might be made at the Fulton County Prison).

APPENDIX II

Following is a list of those individuals who were contacted during the preparation of this memorandum.

Howard Baugh, Lieutenant, Atlanta Police Department

John R. Bennet, Investigator, Criminal Court of Fulton County

E. R. Brock, Judge, Atlanta Municipal Court

Eugene Brown, Pre-trial Release Officer, Fulton County Prison

I. G. Cowan, Superintendent of Detention Division, Atlanta Police Department

Daniel Duke, Judge, Criminal Court of Fulton County

Louis Gillman, Staff, Fulton County Prison

Charles Howard, Referee, Fulton County Juvenile Court

Ernest J. Hughie, Assistant General Counsel, Atlanta Legal Aid Society

Ralph E. Hulsey, Superintendent, Atlanta Prison Farm

Marion A. Jakes, Probation Officer, Atlanta Municipal Court

Herbert T. Jenkins, Chief of Police, Atlanta Police Department

R. E. Jones, Chief Judge, Atlanta Municipal Court

W. H. H. Jones, Assistant General Counsel, Atlanta Legal Aid Society

T. C. Little, Judge, Atlanta Municipal Court

V. L. Reynolds, Lieutenant, Atlanta Police Department

Carl W. Smithwick, Chief Jailer, Fulton County Prison

Aubry E. Thomaston, Staff, Atlanta Prison Farm

Jack Watson, Attorney, Secretary to the Atlanta Bar Association Committee
on Atlanta Municipal Court

Jane s Webb, Assistant Solicitor, Criminal Court of Fulton County

Atlanta Bar Association

Police—Community Relations Committee
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 Hilton M. Fuller, Jr.

Research Assistants
 Preston Harris Hines
 Robert C. Young

M E M O R A N D U M

TO: Hilton M. Fuller, Jr., Executive Director
 Atlanta Bar Association Police-Community Relations Committee

FROM: P. Harris Hines, Research Assistant

DATE: August 17, 1967

SUBJECT: Recommendations concerning publishing a directory of community services to be distributed to the Atlanta Police.

Superintendent J. F. Brown, Commanding Officer of the Uniform Division of the Atlanta Police Department distributed approximately two hundred and fifty (250) questionnaires, which I had prepared and were designed to pinpoint the problems of the community in which police assistance is most frequently asked, to the officers under his direction.

Of this number fifty-three (53) were returned to him and forwarded to me. From this survey it was determined that police assistance is frequently requested in dealing with the following problems:

- | | |
|--------------------------------|---|
| (1) Alcoholics | (12) Hospitals |
| (2) Child-Parent Relationships | (13) Juvenile Delinquency |
| (3) Clinics | (14) Mental Illness |
| (4) Discrimination | (15) Public Assistance (Welfare) |
| (5) Drug Addicts | (16) Recreation |
| (6) Education | (17) Sanitation Services |
| (7) Employment | (18) Sex Deviates |
| (8) Family Problems | (19) Street Repair |
| (9) Financial Assistance | (20) Transient of Homeless
Individuals |
| (10) Handicapped | (21) Unwed Mothers. |
| (11) Housing | |
| (a) Emergency | |
| (b) Low Cost | |

From this information I prepared a rough draft listing ninety-two (92) agencies within the metropolitan Atlanta area with services to help alleviate the above-mentioned problems. A great deal of reliance was placed upon information contained in the 1966 Directory of Community Services published by the Community Council of the Atlanta Area, Inc.

The draft contained information regarding the services each of the agencies provided, the eligibility requirements for their services, the fees charged for the services and the application procedure for obtaining them. While gathering this information I learned that the Community Council operates an information and referral service directed by Mrs. Doris N. Bradley. This service is designed to assist "individuals seeking help, to define the nature of their health and welfare problems, and to arrange for the referral of such persons to the appropriate health and welfare agency." It also maintains "a system of follow-up to determine if the client made connection with the agency to which he was referred and what services, if any, were given." It also came to my attention that the United Appeal of Clayton, Cobb, DeKalb, Fulton and Gwinnett Counties has published a pamphlet containing a brief synopsis of the services provided by agencies receiving support from the United Appeal.

In view of this and the knowledge that it will cost between \$500 and \$600 to print five thousand (5,000) copies of our booklet which will be distributed to persons upon their "booking" at the Atlanta jail and the further fact that the printing of a community services booklet to be distributed to the Atlanta police would cost at least as much, if not more than the pamphlet that is going to be distributed to persons after their arrest, I recommend the following:

- (1) That each police officer be given a memorandum explaining how the information and referral service of the Community Council operates and how they may make use of this service in the performance of their duties.
- (2) That each police officer be given a copy of the United Appeal pamphlet to use in the same manner as the Community Council memorandum.
- (3) That in the training program a sufficient number of hours be devoted to speakers who can instruct the police recruits in how to help members of the community obtain the services available to them. It is my opinion that until this recommendation is put into effect, recommendations two and three will have only limited value.

Atlanta Bar Association

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MEMORANDUM

TO: Hilton M. Fuller, Jr., Executive Director
 Atlanta Bar Association Police-Community Relations Committee

FROM: Robert C. Young, Research Assistant

DATE: August 1, 1967

SUBJECT: Possibilities of a Police Cadet Program for the Atlanta Police Department

Attracting, training, and retaining competent personnel for law enforcement positions in the United States is a rapidly increasing problem. The challenge to the Atlanta Police Department is no less than that faced by other municipal governments from New York to New Orleans. Law enforcement personnel across the nation talk more and more in terms of raising educational requirements for law enforcement officers, while in Atlanta, where the same sort of talk is heard, we in fact seem to be lowering educational standards. At present, a high school diploma is not a prerequisite to employment on Atlanta's police force.

Even if Atlanta required a high school degree before employment on the police force were permitted, the current minimum hiring age of twenty would mean that many young men interest in police work when they graduated at age seventeen would have gone elsewhere seeking employment. Atlanta's restriction on age means that a young graduate, enthusiastic and eager, is put off for two to three years before he can be considered for hiring. By the time the Atlanta Police Department is in a position to talk seriously with him, he is probably experiencing relative success in another job and would have to take a pay cut to join the force, or he is a relative failure elsewhere and comes to the police department as one who has been unable to succeed at other endeavors.

Atlanta's Police Department, then, seems to face two problems in recruiting new officers: (1) attracting persons with a better educational background, and (2) creating the opportunity to attract those persons before their interests and needs are centered elsewhere. To solve these problems, many cities have turned to police cadet programs. In 1966, the Atlanta Commission on Crime and Juvenile Delinquency stated, "The cadet programs have been highly successful in [some American cities] and should be implemented by the Atlanta Department as soon as possible."

Basically, a police cadet program is a means of attracting and training persons in police work who are in fact under the age required to be fully sworn officers. Such persons are hired at age 17, 18, 19 or 20, assigned to the various divisions of the police department on a rotating basis, and trained in police procedures until they reach the minimum age for full employment. This not only provides a means of interesting persons in police work as soon as they graduate from high school; it also aids the police department in freeing fully-sworn officers from certain clerical and administrative functions which would otherwise consume their time. Such young cadets, then, receive police training and earn salaries competitive with those paid to other high school graduates, and thus are not lost to the police department while awaiting their twentieth birthday.

At the present time, the Atlanta Police Department operates a "Police Guard" program under authority of a City of Atlanta Ordinance which permits hiring of persons under twenty years of age to assist in police activities in a non-sworn capacity. Such persons are hired only on a day-to-day basis, and the number hired is limited to the number of vacancies on the police force at any given time. Employment as a Guard is tenuous at best, and often the guard finds himself restricted to one clerical task with little or no effort at cross-training or interest-development. Furthermore, there is no advantage gained on reaching twenty years of age; a Guard who becomes a patrolman has no better standing than a raw recruit.

In an interview on July 26, 1967, Lieutenant Robert Lane of the Training Division of the Atlanta Police Department said that by August 15, 1967, all vacancies on the police force would probably be filled, and thus there would be no Guards employed.

-3-

The Guard program appears to offer little or no solution to the recruiting and education problem. Although Lieutenant Lane indicated that approximately fifty percent of those working as Guards went on to become police officers, the program does not appear to have broad enough in scope of goals to have met the needs of the Department. The problem is greater than merely attracting "recruits."

Not only does Atlanta face the problem of attracting high school graduates; it also faces the problem of attracting persons with even higher educational qualifications. "The quality of police service will not significantly improve until higher educational requirements are established for its personnel."¹

"It is nonsense to state or to assume that the enforcement of the law is so simple that it can be done best by those unencumbered by a study of the liberal arts. The man who goes into our streets in hopes of regulating, directing or controlling human behavior must be armed with more than a gun and the ability to perform mechanical movements in response to a situation. Such men as these engage in the difficult, complex and important business of human behavior. Their intellectual armament -- so long restricted to the minimum -- must be no less than their physical prowess and protection."²

The problem, then, appears to develop further into a three-fold one: (1) attract high school graduates, (2) employ them before other industries attract them, and (3) give them even further education as a means of bettering law enforcement and as a recruiting attraction.

To better meet this challenge, some American cities have combined a Police Cadet program with required, part-time college work. With the creation of an Associate of Arts program for a degree in Police Administration at Georgia State College in downtown Atlanta in September, 1967, Atlanta faces a unique opportunity to attract personnel with high school degrees, alleviate personnel shortages, hire younger men before they are lured away by other industries, and further educate these men at very little cost to the taxpayer, thus improving law enforcement in Atlanta.

¹ & ² Task Force Report: THE POLICE, published by The President's Commission on Law Enforcement and Administration of Justice, p. 126.

2. Is actually a quote from Quinn Tamm of the IACP contained in the POLICE - It is a mis-cite.

It is recommended that a Police Cadet program, operated in conjunction with the Police Administration degree program at Georgia State College, be implemented as soon as possible. This recommendation in no way deals with the problem of technical training of the police force (arrest procedures, firearm use, et cetera), which is better left to the Atlanta Police Department. This recommendation is aimed only at a program to enhance recruiting and education of law enforcement personnel in Atlanta.

Certainly it is hoped that the Atlanta Police Department will make every effort to schedule fully-sworn police officers in their work so as to enable those who wish to attend Georgia State on a part-time basis to do so. Every possible encouragement should be offered. However, that is beyond the scope of this memorandum, and this recommendation speaks only to the problem as it involves persons seventeen to nineteen years of age.

Lieutenant Lane indicated that representatives from the Police Department visit highschools in Atlanta to recruit law enforcement personnel. He said that the interest is always great, but subsides considerably when the police must tell the student that the Department cannot hire him for another three years. Suppose, instead, that he could say to a young man about to graduate from high school: "The Atlanta Police Department will hire you now, place you in a uniformed non-sworn capacity where you will learn all phases of police administration, communication, public relations, et cetera, pay you approximately \$400 a month, arrange your schedule so that you can attend Georgia State College for three years and earn an Associate of Arts degree in Police Administration, pay your tuition and book costs, and then when you earn the degree and are made a fully-sworn officer, give you substantial pay and job elevation." Surely this would be an effective recruiting weapon in the hands of the Atlanta Police: an offer of a free degree in higher education, a chance to earn and learn, both practically and academically, while gaining experience and confidence in law enforcement and human relations. And the level of law enforcement is raised simultaneously. Hopefully, of course, some men entering such a program would continue work toward a bachelor's degree. And also, hopefully, at some point the Atlanta Police Department would require all personnel to enroll in such a degree program. In the meantime, however, a Police Cadet program seems to offer the greatest immediate advantage.

"Most cadets in other programs perform clerical functions only and therefore, learn little about police work or the rewards of a police career. If cadets were given financial aid to continue their education, and received extensive police training as [cadets], assisting police officers and police agents, as well as performing noncrime related functions; [cadet] programs could serve as a valuable recruiting device and a method of upgrading the quality of personnel."³

It is recommended that a police officer be added to the Training Division of the Atlanta Police Department with specific responsibilities for administering a Police Cadet program. This officer would be responsible for recruiting, involving visits to high schools in the area to talk with guidance counselors, parents and students about careers in law enforcement. He would also be responsible for administering problems of scheduling that will invariably arise between class hours and work hours. The officer would also work out a detailed plan, in conjunction with the various divisions of the Department, for the rotating, on-the-job training of cadets in various positions on the police force. This should not be a loosely arranged and carelessly or casually conducted program, but a detailed plan with specific training goals in mind. The officer should meet periodically with each "class" of cadets to determine progress, point out directions, purposes and objectives, and in general assure that cadets are aware of their "program," their goal, and their progress. The curriculum of the cadet training program, in the form of on-the-job training, should be just as carefully thought out and administered as has been the Police Administration program at Georgia State College. With the proper approach, a relative amount of esprit de corps could be developed in such a cadet program, and this might enhance in cadets and in the public the feeling that law enforcement has indeed become an honorable profession.

When consideration is given to the requirements of recruiting, selecting, screening and testing cadets, and then administering their work on-the-job and at Georgia State College, it is conceivable that the job of Police Cadet Administrator would require full-time efforts of one officer.

³Task Force Report: THE POLICE, p. 131

Current starting salary for police officers in Atlanta is \$457 monthly. It is recommended that a Police Cadet begin work shortly after his high school graduation at a salary of \$425 monthly. His tuition and books will be paid by the Department. Tuition is \$7.00 per quarter hour. The cadet will take ten hours per quarter, thirty quarter hours per year, costing \$210 per year. Books would cost an estimated \$60 per year. Total cost for his education, then, would be approximately \$270 per year, or \$22.50 per month for a twelve month school year. This \$22.50 per month is covered by the pay differential between normal starting salary and cadet starting salary. To offer a lower starting salary would increase the possibility of "moonlighting," whereas paying the normal starting salary "less tuition" would enable the department to insist on no moonlighting so that full energies could be devoted to school work. As cadets remain in the program, they should receive longevity pay increases just as any fully-sworn officer.

The cadet will work a normal forty-hour week, attending classes in the evening at Georgia State College, or during the day if he is assigned to work the evening shift at the Department. If arrangements can be made with Georgia State College, it is suggested that students attend classes yearround. This would mean that a cadet would receive his degree from Georgia State College in nine straight quarters. Thus, if he begins in the September following his high school graduation, he completes his studies in December two years later. Since the cadet will carry only two five-hour courses per quarter, it should not be unreasonable for him to work an eight-hour day, five days a week.

Prerequisites to enrollment in the program should be local residence and admissibility to Georgia State College under normal admissions procedures and requirements. The residency requirements would mean that students would probably live at home rather than in bachelor-groups in apartments which has been found to an unsatisfactory arrangement by some departments. Another screening device that might be employed at this point is psychological testing, something increasingly recommended and needed as law enforcement officers more and more often are confronted with tense and involved situations requiring judgment and stability.

During his final quarter in college, the cadet would not work at the Department full time. The regular program of Police Academy training would be integrated into his schedule so that on graduating in December, the cadet would be qualified to assume duties as a fully-sworn police officer with two years administrative experience, an Associate of Arts Degree in Police Science, and the technical knowledge necessary to perform his duties. He knows his Department, its personnel, its procedures, and he is ready to step into a position of added responsibility and increased pay as a well-educated professionally trained law enforcement officer.

Cadets should wear the same uniform as all police officers, except they will wear no badge and no weapon. They should have a unique cadet shoulder patch.

The possibilities for community-relations improvement with young men of this sort are immense. Not only could they be utilized at Department headquarters, but also through the Crime Prevention Bureau they could work at EOA neighborhood centers, aid in recreation, and see the slum problems and minority group problems first hand. With careful planning, the breadth and worth of a Cadet program are great. The challenge to the Police Department is great also, providing an opportunity to recruit leaders from the high school in a given community who command respect and who can help improve the image of law enforcement as a profession; the opportunity not only to raise the level of personnel qualifications, but also to alter community attitudes toward the policeman and toward law enforcement as a career.

Lieutenant Lane has reported that at its height, the Guard program of the Atlanta Police Department involved perhaps forty persons. If twenty-five high school seniors are recruited from the Atlanta area each year for two years (allowing for 20% attrition), Atlanta will make a significant step toward providing its citizens with talented, enthusiastic, well-educated law enforcement.

While cadets are in the program, they should be considered to be in a probationary status. Being allowed to continue from quarter to quarter will depend on many measures of satisfactory progress, the two most importing being satisfactory academic progress at Georgia State College and satisfactory progress in on-the-job training. Cadets would also be required to sign a contract obligating themselves to a certain definite period of employment with the Department after graduation, probably five years.

- 8 -

Certain modifications will no doubt be necessary in such a program in the future as a more permanent force is established. Conceivably, the number of Cadets might have to be reduced if turnover in the Department decreases, or, the Associate in Arts degree program might eventually be expanded to encompass all new career additions to the force. Such eventualities can be dealt with as they arise. For the present, the words of the Atlanta Commission on Crime and Juvenile Delinquency should be considered again: "The cadet programs have been highly successful in [some American cities] and should be implemented by the Atlanta Department as soon as possible."

Atlanta Bar Association

Police—Community Relations Committee
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MEMORANDUM

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Research Assistants
 Preston Harris Hines
 Robert C. Young

TO: Hilton M. Fuller, Jr., Executive Director
 Atlanta Bar Association Police-Community Relations Committee

FROM: P. Harris Hines, Research Assistant

DATE: August 17, 1967

SUBJECT: Presentation by Dr. M. Goldaber to certain members of the Atlanta Bar Association Police-Community Relations Committee and invited guests of the program prepared by Scientific Resources, Inc. (SRI) in regards to improving police-community relations.

A meeting was held August 15, 1967 in the Fulton Room of the Atlanta American Motor Hotel in which Dr. M. Goldaber, professor of sociology at City University of New York and a staff member of Scientific Resources, Inc (SRI), presented an outline of a program designed by S.R.I. to improve police-community relations in urban areas.

In attendance from the Bar Association Committee were:

Mr. Thomas S. Carlock
 Judge Daniel Duke
 Mr. Hilton M. Fuller, Jr.
 Mr. Harold M. Hill, Jr.
 Judge Robert E. Jones

Guests in attendance were:

Mr. John O. Boone, Southern Regional Council
 Sergeant Wayne Braley, Chattanooga Police Department
 Mr. Reginald Carter, Community Relations Commission
 Mr. William Farmer, Southern Regional Council
 Lieutenant Stanley Jacks, Chattanooga Police Department
 Mr. James L. McGovern, Metropolitan Atlanta Commission
 on Crime and Juvenile Delinquency

Mr. Fuller opened the meeting stating that it was to be a general discussion about ways to improve police-community relations in the Atlanta area. He then called upon Mr. Boone to introduce Dr. Goldaber.

I. Dr. Goldaber's Presentation

Dr. Goldaber prefaced his presentation by saying that S.R.I. was composed of a group of social scientists who had formed an organization to bring to industry and government the principles of social science that can be of value to them. S.R.I. does not get into the training of policemen, it only claims to have competency in the area of police-community relations due to its members' backgrounds in the social sciences.

It is their opinion that any organized police-community relations program of value must (1) train the police and members of the community to recognize each other's problems, and that to accomplish this the training must be done together and (2) develop resources within the community and police department so that a reserve will be left after the training period is over to serve as a resource to continue to build better police-community relations.

A program of such a nature was organized by S.R.I. for Grand Rapids, Michigan. While the realization that each city has different problems and therefore a different type of program may be needed for each city, the structure of all programs is the same. The program is carried out in phases and may be discontinued after a particular phase. Each phase takes place a month to a month and a half apart.

Phase One: Intergroup Laboratory

A group of twenty police personnel and twenty civilians will be chosen. This can be done by an agency similar in nature to the Community Relations Commission. The important thing is to insure that the police personnel and civilians represent a cross section of each group. The upper echelons of the police department must be represented as well as the patrolmen; and the civilians should include chronic law violators as well as model citizens. Different racial and economic groups should be represented. These forty people will be put through a training program of three days consisting of discussions and experiences with the purpose being to get them to see how they appear to others.

Phase Two: Training Group Laboratory (T-Group)

This same group (which hopefully will stay intact for the entire program) will go to an isolated place in the country for two or three days. There will be no agenda and the idea is to get people to "really level" and express their feelings and "reveal themselves." The leader of the group will say virtually nothing. The purpose is to get people to merely come and talk.

Phase Three: Case Studies

A weekend will be spent reviewing case studies of police-community relations problems. These studies will be conducted by roll playing each case. The purpose will be to get the police to understand civilian problems and vice versa. Particular problems areas such as riot control, individual arrest, etc. will be emphasized.

Phase Four: Lectures

A weekend of lectures will be given emphasizing the way certain language and conduct affects certain groups, the way in which riots are often started by rumor not related to what actually happens, the current policies of different groups within the community and particular organizations, etc.

Phase Five: Police-Community Relations Laboratory

Several days will be spent discussing ways in which sub-committees to deal with particular problems can be set up. The areas in which concentrated action should take place will be determined and committees will be set up to deal with them.

Phase Six: Leadership Laboratory

The next session will be taken up with the process of making members of the group teachers. They will lead group discussion and assume similar roles.

Phase Seven: Planning Session

The final session, which will take place approximately one year after the first one will be a planning session to learn ways in which members of the police department and the civilians can impart their experiences and understanding to their counterparts. The overall purpose of the entire program is to build a relationship of understanding between the police and the community they serve.

II. Questions and Comments from the Audience

The following comments and opinions were expressed by members of the audience.

1. The program should not be tailored to better race relations only. The economic situation of members of the community often poses more problems in the area of police-community relations that do matters of race.
2. A chronic law violator cannot be trained to teach other members of the community respect for law and order. It must be made clear that the police are armed with authority which is placed within them for a purpose. The need for police who are not afraid to do their duty because of community animosity must be emphasized.
3. The program will create dialogue but the Negro community is seeking more direct means of assistance.
4. The police have become the scapegoat for Negroes. Other conditions cause the animosity for police which is manifested when they try to correct a particular situation.
5. The program may have more value in improving the attitude of the community than that of the police since they will see that the police are not responsible for all of the "sins placed at their door."
6. A program of this nature may be too narrow in scope in that it is difficult to separate the problems of police-community relations from economic problems.
7. A plan which might be utilized would be to send police to schools to explain their purpose and activities.
8. It is overly optimistic to get forty persons to attend regular monthly sessions of the program. The rate of attrition will probably be higher.
9. A police officer's job may be hampered if he is on a "buddy-buddy" basis with someone he must later arrest.
10. The plan is better suited to a smaller area. The training of a group of forty will have only a limited impact on the problems.

11. Some type of program is needed and social scientists should be involved in such a program.

12. In response to a question it was estimated that a police-community relations program of the type proposed would cost around \$100,000.

The meeting was closed by proposing that Hilton Fuller examine the program carefully, get the advice of Chief Jenkins and then make his recommendations to the Bar Association Committee.

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW.

MEMORANDUM

TO: Robert Nelson
FROM: Ronald Natalie
DATE: January 11, 1967

Based on the initial staff findings in Seattle which included consultations with police, city administrators and community leaders, six general areas appear that might merit consideration by the local Lawyers' Committee. The following summary is intentionally brief and is aimed at giving you and the Committee some indications of what appears to be generally agreed upon as the principal areas of possible improvement.

I Training

In the past years, the police department has conduct human relations training on a more or less on-and-off basis. About a year and a half ago, the department made attempts to initiate an able human relations phase in its cadet training program. The police called upon the representatives of various groups, such as ACLU, to lecture the cadets. This program proved unsatisfactory. Then, as a result of the lack of manpower, it was necessary to shorten cadet training. Since this segment of the program was one of the less successful, it has been curtailed and temporarily eliminated. We agree with the department's view that the program was ineffective. We do not agree with the views expressed by some of the lecturers concerning the merits of the program. The ACLU and others seem to feel that even an ineffective program is superior to no program at all. Experience has shown the opposite to be true. The very reason that these programs are desirable--that police attitudes are shaped in the course of cadet training--argues against presenting the students with superficial and general views of human relations put forth by an instructor whom they may consider inept. Such a course of action may close, not open, minds. This is not to say, however, that human relations training is not essential and should not be reinstated at the earliest possible time, with at least the same number of curriculum hours per year and possibly more. Seattle is unique among cities of similar size (and among cities markedly smaller) in the lack of structured human relations training. It is a mistake simply to set aside a block of hours and call upon organizational representatives to come in and teach what they choose. The content should be carefully thought out, and the police should not abdicate their responsibility for the total training program. The deleting of this

particular use of outsiders is not to derogate the value of outside lecturers, for which we have the highest regard, but it is to say that an overall, well-thought-out structure should be developed, in the context of which these outside lecturers play a role. We would therefore suggest that the Committee consider undertaking, perhaps by means of a subcommittee, programs of working with the police, people from the local community, the University of Washington, our Washington staff, the IACP consultants and the Michigan State consultants in an effort to develop a first-rate curriculum upon which all could agree.

II Police-Community Relations Unit

Approximately a year or more ago, the Seattle Police Department established for the first time a police-community relations unit. Once again, the absence of such a unit had been unique among the large metropolitan areas of the country. This unit is adequately staffed and represents a substantial commitment of manpower, evidencing police desire to improve community relations. Chief Ramon values this unit and specifically requested that the Committee staff seek to assist it in conducting meaningful activities. The unit at the moment is engaged in several activities but, in all candor, it does not appear to be making any substantial impact on the community. The fault is not attributable to Chief Ramon or to the unit. They have a sincere concern with the program. The difficulty is that the available expertise is not freely available in written form, and that the available education programs--although good--are generalized and assume prior experience in community relations. Therefore, before any evaluation of possible specific activities for the unit can truly be made, we believe that it might be useful to concentrate initial efforts on exposing the unit to the detailed experience of other cities and the specific and concrete thinking of the experts in the area--in an effort to teach the nuts and bolts of such programs. It might be worthwhile, just as an example, to detach the unit personnel from normal duties for a couple of days so that they could participate in orientation sessions with our staff, and other persons that could prove useful. Again, this is just an idea but we might try to balance the program 50-50 between a more formal presentation of the ideas developed elsewhere, on the one hand, and, on the other, a free and confidential discussion of the situation in Seattle, attempting to develop some conclusions about the application of the discussed techniques to the specific problems in Seattle.

III Public Relations

We have not envisioned our program as being concerned with public relations per se and I still have some reservations about doing so. I would certainly reject this idea for Detroit and Atlanta. However, I think we have to recognize that we might want to make an exception in Seattle. Seattle does not have the history of decades of racial conflict suffered by Atlanta and Detroit. Similarly, the emergence of vocal critics of the police in the Negro community has been a far more recent occurrence in Seattle. Chief Ramon inquired as to the techniques used by other departments in responding to requests to appear on controversial radio programs to discuss community relations and other aspects of police department public relations. This request coupled

with the different situation obtaining in Seattle, are strong arguments, for our assisting the police department in this field.

IV Recruitment

Recruitment of Negroes for the police has been notoriously unsuccessful. There are a number of reasons, including unfamiliarity with the argot of Negro community, poor public relations, as well as the normal problems encountered by every city in such efforts. The Mayor and the Chief are interested in the recruitment of qualified Negroes, and I believe that assistance should be rendered. You will recall that the program we assisted in Cleveland obtained striking results in this area principally because professional recruitment specialists from leading Cleveland business firms were made available to concentrate a portion of their time, and, in a couple of cases, full-time for limited periods to Negro recruitment. They were able to bring all the knowledge and experience of their profession to bear on the problem. Similarly in our Detroit program, the Chamber of Commerce now will play a leading role in recruitment. It occurs to me that a similar effort might be available in Seattle, especially since the principal employer is the Boeing Company, which I believe to be a notable Plans for Progress participant.

V Complaint Procedure

As of now, there is no lower echelon mechanism for receiving citizens complaints, like the Citizens' Complaint Bureau of Detroit (the Citizens' Complaint Bureau is not a civilian review board; it is a section of the Police Department, fully staffed by police officers, who conduct confidential investigations and make their reports to the Commissioner and Trial Board). As of now in Seattle, those with complaints are welcomed by the Chief, who is willing to receive such complaints from any citizen. The aggrieved person also has the right to file suit. I think we need to recognize however that any average person is going to be reluctant about going to see the Chief of Police with a minor, or perhaps even a major complaint. Recourse to other existing remedies would make every complaint a cause celebre and should be avoided.

VI Police Practices

General requests for comparison of various Seattle police practices with those elsewhere have been made by both municipal officers and community leaders. The Human Relations Commission has also suggested that we lend our assistance in evaluating police practices, especially in the use of firearms, by joining efforts with the police department in attempting to reach conclusions about present practices. I have been advised that the Mayor's decision not to establish a body to review these practices is no bar to us because

any effort we undertook would not be an "external" review and evaluation. It would be conducted in an advisory capacity to the police department. No public announcement about the conclusions would be made unless the city administration decided upon making it. If this action is taken, even given all those safeguards, I think we should add the additional safeguard of having our IACP consultants play a significant role. They are police-oriented, further professionalized and absolutely objective under all conditions.

NATIONAL CONFERENCE OF BAR PRESIDENTS

The in depth discussion of THE ROLE OF THE ORGANIZED BAR DURING A PERIOD OF TURMOIL:

FRIDAY AFTERNOON, FEBRUARY 16, 1968

2:15
p.m.

Introductory Remarks: Orison Marden
Last Retiring President
American Bar Association

(A) LAW ENFORCEMENT; THE DUTY OF THE ORGANIZED BAR

Leon Jaworski, Houston, Texas
Chairman, A.B.A. Committee on
Crime Prevention and Control

Questions and Comments by Members

(B) CIVIL AND ECONOMIC RIGHTS;
THE FUNCTION OF THE ORGANIZED BAR

Arthur Dean, New York
Louis Oberdorfer, Washington, D. C.
Co-Chairmen -- Lawyers' Committee for
Civil Rights under Law

Questions and Comments by Members

(C) THE RESPONSIBILITY OF THE ORGANIZED BAR
IN RESPECT TO INTERRACIAL RELATIONS

Jefferson Fordham, Dean of the
University of Pennsylvania Law School
James C. Davis, President
Cleveland Bar Association

Questions and Comments by Members

(D) ANTICIPATING POSSIBLE VIOLENCE;
THE ROLE OF THE ORGANIZED BAR

George W. Bushnell, Past President
Detroit Bar Association

Questions and Comments by Members

Plan for the discussion periods: about 10 minutes after each of the above speaks, then as time permits, questions asked of any speaker.

RESOLUTION ADOPTED BY THE LAW ENFORCEMENT COMMITTEE OF THE SEATTLE-KING COUNTY BAR ASSOCIATION, January 15, 1968.

Whereas effective police-community relations are interdependent upon criminal law reform, and

Whereas public respect for the law is dependent upon ordinances that are susceptible of administration and enforcement with simplicity and clarity, and

Whereas the perpetuation of existing Seattle Municipal Criminal Ordinances unnecessarily complicates the duties of the police, the prosecutor, and the courts and hinders the attainment of a rational and just penal system, and

Whereas it is the responsibility of the Association of the Bar and its members to cooperate with community law enforcement and legislative authorities in updating local criminal laws and ordinances, and

Whereas the views set out above are shared by the Criminal Law Section of the Seattle-King County Bar Association,

BE IT RESOLVED that the Law Enforcement Committee recommends that the Seattle-King County Bar Association adopt the position that the criminal ordinances of the City of Seattle require complete review and modernization, and

BE IT FURTHER RESOLVED that the Law Enforcement Committee recommends that the Seattle-King County Bar Association undertake the sponsorship of a City-financed program designed to produce an up-to-date, modern criminal code for municipal offenses, and

BE IT FURTHER RESOLVED that the Law Enforcement Committee recommends that the Seattle-King County Bar Association designate not less than two nor more than five individuals for the purpose of representing the Bar Association in offering its services to the City of Seattle to effectuate the purposes of this resolution.

Reports from Our Observers

NC, 12/11/67, 6:1

recruitment

Guard Door Is Open, But Negro Recruits Are Few

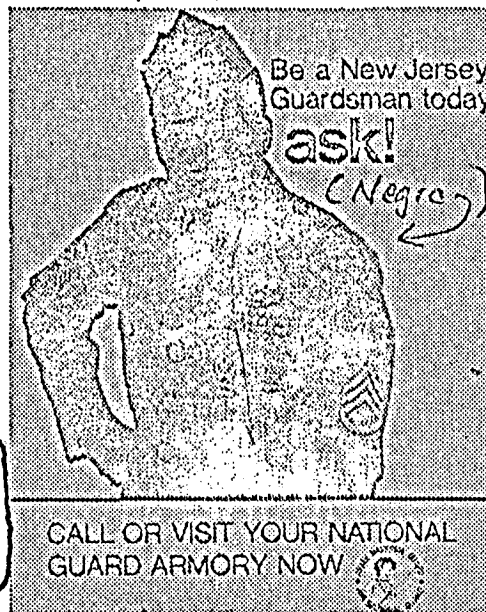
TRENTON, N.J.

A New Jersey test program to recruit more Negroes in the National Guard comes up for review this week in the Pentagon. It has enlisted a disappointingly low number of recruits so far, fewer than 400. Other states that requested permission to conduct similar programs were asked to wait for an evaluation of the New Jersey program by the National Guard Bureau, the Federal agency that administers the Guard.

The sudden concern about Negroes in the National Guard, whose Negro membership nationally amounts to only about 1 per cent, is an outgrowth of last summer's racial riots in which Negroes jeered the predominantly white Guard units mobilized to help quell the violence. The President's Commission on Civil Disorders recommended an increase in Negro membership in the Guard, and the Pentagon authorized a 5 per cent membership increase in New Jersey's Army and Air National Guards. All men in this "overstrength" are to be Negroes; the experimental program is not affected by the recent freeze on regular Guard membership.

With 17,267 Guardsmen in New Jersey in August when the program was authorized, the added 5 per cent would mean an increase of 863 men. This would be more than twice as many Negroes as were in state units in August. If the quota is attained, the state's percentage of Negro Guardsmen would jump from about 2 to 7 per cent. The District of Columbia National Guard has about 28 per cent Negroes, but the New Jersey percentage, if attained, probably would be the highest for any state Guard.

So far about 360 Negroes have joined the New Jersey Guard and another 100 or so are being processed. Some Guard officials consider this "pretty fair" for the few months the trial program has been in effect, although others believe "we should have done better." One of the latter is the chief of staff of the New Jersey Department of Defense, Maj. Gen. James F. Cantwell, who publicly expressed disappointment in the low num-



ber despite a "strenuous" recruitment drive. He thinks the program "is working, but slowly."

A full-scale campaign, said to consume one-fourth of the Guard's national promotional budget, was begun by the National Guard Bureau to attract Negroes in New Jersey. It includes newspaper publicity and advertising, radio and television announcements, billboards, counter cards, 25,000 brochures, and personal talks by Guardsmen to Negro groups. Although it does not specifically say in so many words that the program is aimed at Negroes only, the principal printed material pictures a Negro sergeant pointing at the viewer and saying: "You can be a New Jersey Guardsman today. Ask."

Guard officials doubt that the reasons for the less-than-enthusiastic response can be pinpointed. "We wish we did know," said a spokesman. But clues may be found in their speculation that Negroes prefer to enlist in the active armed forces, that there are only small Negro popula-

tions near some armories, that there is no Negro tradition in the Guard, that Negroes are just plain disinterested, and that they are suspicious of the crash campaign as some applicants have indicated by asking, "What's the gimmick?"

Some of the new Negro guardsmen said they didn't enlist earlier because they didn't know how to go about it. Others said they were aware there was a waiting list to get into the Guard and figured they didn't have a chance.

The waiting list has been a sore point in the Negro recruitment program. On the list when the program started were about 7,500 men. The 100 or so Negroes among them were immediately eligible for the program. Newly recruited Negroes, too, do not have to go on the waiting list. This is because Negroes join under the new "overstrength" authorization. Thus, Guard officials repeatedly explain, no whites have been "bumped" by the newcomer Negroes, although some still believe so, with ill feeling. The white waiting-list men continue to be placed in the Guard as vacancies occur within the regular quota.

The Negro "overstrength" has been called discrimination against whites by some, and its legality has been questioned, although not directly challenged. What also has been questioned is whether more Negroes in the National Guard will make any difference at all during race riots. Some Guard officials believe rioters will hate anyone, of any color, who wears the uniform. General Cantwell has said he doesn't think the number of Negroes "has any great effect one way or the other on group activity."

—LORE FIEDLER

Youth-Patrol Plan Gets Cautious Reception

By MARJORIE JONES

Testimony at a public hearing today on a teenage youth patrol generally reflected qualified approval.

The hearing was before the City Council Public Safety Committee. Councilman Sam Smith, committee chairman, had proposed the youth patrol.

The Council chamber was filled to overflowing, mostly by teenagers.

Police Chief Frank C. Ramon said the purpose of youth patrols was excellent but there are "delicate areas."

"It will not be an easy task," Ramon said, adding that the plan unquestionably could work with supervision and support.

Ramon said the most experienced and most capable officers in the department would be required to train the members of the youth patrol. Not less than 100 hours of training would be required, he estimated.

Lawrence McDonnell, representing the Seattle Municipal League, said the league advises hearings at high schools. A pilot plan also is advisable, he said. Eurrourghs B. Anderson, chairman of the Seattle King County Bar Association's law enforcement committee, indicated that the youth patrol had not been successful in four cities the committee investigated.

The project is not popular with the young male Negro, he said.

"If (members of the youth patrol) identify too much with the police the project is dead in the water," Anderson said.

Anderson advised expanding the Detached Worker Project before any action is taken to establish youth patrols.

Anderson said the bar association had not yet taken a position on proposed teenage advisory juries.

Frank Hanawalt, former principal of Garfield, said the Seattle School District has not taken a position on the youth patrol but is interested in seeing the project explored.

"I believe the youth patrol has a potential if organized with the thought in mind of what the problems of youth are," Hanawalt said.

Bruce Weller, executive director of the Seattle-King County Youth Commission, said the commission concurs with the basic concepts but has reservations.

The youth patrol should work with the police as well as with such agencies as the Detached Workers program, Weller said. Assignments should be such that personal risk to the youngsters is at a minimum, he said.

The teenage advisory jury deserves serious study, he

said.

Archie J. Richardson, an authority on law enforcement, said the proposal to involve youth with law enforcement is "most imaginative and sound."

Councilman Smith said the proposal would involve youngsters from possibly 15 through 20. They would patrol such areas as beaches, parks, drive-ins and public dances. They would be equipped with two-way radios.

Five students testified they opposed the youth patrol's being identified with the Police Department.

Elmer Dixon, of the Student Non-Violent Coordinating Committee, said the youth patrol members would be considered "stoolies." He said the \$83,000 cost of the youth patrol should be used to get jobs for youth.

Leonard Dawson, a Garfield student, said the youth of his school views the police as oppressors.

"The police are not able to relate to teenagers or the black people," he said. "If the youth patrol is affiliated with the police department, it will not be effective."

Bruce Pantley of Ingraham questioned the wisdom of a youth patrol.

"Students should not be governed by other students in their conduct," he said.

Suite 105, 1700 East Cherry
Seattle, Washington 98122
March 4, 1968

The Honorable Phyllis Lamphere
City of Seattle, City Council
Seattle Municipal Building
Seattle, Washington 98104

My dear Mrs. Lamphere:

Enclosed is most of what I have in my files pertaining to the youth patrol. You may wish to give special consideration to the Rochester TOPs program (Teens on Patrol), which most closely resembles Councilman Smith's proposal. The singular difference is Rochester's emphasis on the disadvantaged youth.

You inquired about the depth of our study. Quite obviously, the enclosed material does not identify me as a "walking encyclopedia" (how embarrassing!), nor indeed a single-paragraph entry. I did search the periodical indexes, both legal and nonlegal, and could not come up with any material devoted to the question. What I have learned comes from my day-to-day reading; from conversations with police officials here and in other cities, with staff members of the Lawyers' Committee in Washington, D.C., with Mr. Dan Andreotti of the Department of Justice, and so on; and, as Mr. Anderson suggested, from our experience "in the field." Our own Seattle Police Department's Community Relations Unit has sent officers to various national police meetings devoted to community relations problems, and the only encouraging program that they are aware of is Rochester's. (You might be interested in speaking with Mrs. Noreen Hartsfield of the Community Relations Unit, JU 3-2186.)

Atlanta's program is one that we should learn more about. Both Bruce Weller of the Youth Commission and Loren Ranton of the National Council on Crime and Delinquency have written to Atlanta requesting information. Hopefully, replies will be forthcoming.

But other cities apart, the salient consideration is the attitude of our own young people and their outspoken reluctance to be affiliated with the Police Department. Seattle is fortunate to have a program like the Detached Workers because of its apparent autonomy. Its association with C.A.M.P. gives an image of the poverty agency and thus the wide acceptance in the community. Its relationship with the Mayor, on the other hand, makes the workers amenable to a fairly close working relationship with the Police Department. Should the youth patrol--if that is to be its title--

Mrs. Lamphere, page 2

be established under the immediate supervision of the Detached Workers, the Police Department could nonetheless (1) provide whatever training is thought to be required, (2) conduct weekly discussion groups and evaluation sessions*, as is done in Rochester, New York (see enclosures), and (3) perhaps institute a program allowing the young people to ride in police patrol cars, as is done both in Rochester and Bakersfield, California (see enclosures).

We agree with Councilman Smith that it is vital to engage youth and law enforcement officers in constructive cooperation, but we discount the necessity for formal police supervision.

With high regard, I am

Very truly yours,

Linda A. Rodgers
Linda A. Rodgers, Project Director
Seattle-King County Bar Association
Police-Community Relations Project

encs.

* The Teen Council of the Detached Workers is already meeting with Community Relations officers on a bi-weekly basis to discuss problems of mutual concern. Chief Ramon attended for the first time the past session of this group and expressed a desire to continue the discussions.

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Suite 105
1700 East Cherry
Seattle, Washington 98122
February 9, 1968

Jacques Feullan, Esq.
Deputy Project Director
Lawyers' Committee for Civil Rights Under Law
Suite 1001, Universal Building North
1875 Connecticut Avenue, N.W.
Washington, D. C. 20009

Dear Jacques:

I have much to say to you, but in order that you might receive this in time for your meeting of the 13th, I will confine the scope of this letter to the incidents and their aftermath. If you'll give me a call on Monday, I'll relate to you what we've been up to lately.

The YMCA Incident. On the Thursday evening of December 28, 1967, a dance at the East Madison YMCA erupted into a rock-throwing incident involving approximately 125 to 150 kids (though certainly not all of them were throwing rocks) and approximately 40 police officers.¹ Some of the facts are clear; others are disputed.

Just after the dance was over at 11:30, some name calling among the kids outside the building led Dick Carter, the Executive Director of the Y, to call for one patrol car to drive by the area in case trouble developed.² Several minutes later the patrol car that was summoned³ drove past the Y, and as the car rounded the corner beside the building, it was hit by a brick. This precipitated a volley of rock throwing, and several civilian cars were damaged, many of them belonging to Negroes. In the meantime, Sergeant Sandbeck of the Seattle Police Department had called for reinforcements, but he held off his men, he said, for about 15 minutes, hoping the disturbance would break up without the intervention of the police. When it became clear to Sandbeck that the crowd would not break up on its own initiative, he ordered his men to disperse the mob. He led the line of patrol cars, driving down the sidewalk in front of the building, thus splitting the crowd.

¹ Sgt. Sandbeck, who was in command, stated that there were 10 plainclothesmen and 30 uniformed officers.

² Carter has stated in his testimony, however, that it is the normal practice to alert the police whenever a dance breaks and that one car usually patrols the area.

³ Unit 133; Officers Applegate and Shumacher (sp?).

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Feuillan-Rodgers, page 2

Most of the people, he said, moved on without giving the police any trouble. But there were some who became belligerent, cursing and calling the police abusive names. (E.g., "Get whitey"; "We won't move on for no m_____ f_____ cops"; "Black power"; and "Riot!") The Sergeant then proceeded to the rear of the building, where one of the two bands that played at the dance were loading their instruments into a truck. The facts are unclear as to how many people were behind the Y (between 15 and 50), but in any event, four of the eight band members were arrested,⁴ although the facts are quite clear that none of these four was throwing rocks. They are being charged with disorderly conduct.

The police reports indicate that these kids were calling the police abusive names, that they refused to disperse upon order, and they they otherwise resisted arrest. Gas was used at one point when several of the youths allegedly attempted to prevent an arrest. The statements of the arrested band members were not completely consistent. One told me privately and another testified in court that the officers shouted loudly to clear the area, and that this order could easily be heard. (Officer DePalmo's testimony was, not surprisingly, in accord.) The other band members stated in a meeting between the police and the Youth Advisory Council that the police began "beating up on them" for no reason at all and without telling them to move on. One person stated that he was "punched"; another that he was choked; another that his sister received a black eye; another that his mother was "pushed around." What seems likely is that the kids were ordered to disperse, that they refused (perhaps because their instruments--one a heavy organ-- were yet unloaded and perhaps, too, their inclination was simply otherwise), and were then arrested. It is impossible to say that unnecessary force was used or was not used.

What "neutral witnesses" there were either do not wish to become involved, or could not see clearly, or both. Bob Kilgore, a Caucasian employee at the Y, stated that though the lighting in the parking lot was poor and though he had no glasses on, there "did not appear to be unnecessary force used by the police. But I simply could not say for sure." Kilgore stated that he had been the one to phone the police, upon Carter's request, and that he had done so reluctantly, knowing that the presence of a patrol car might tend to precipitate just such an incident.

Three other persons were arrested in addition to Albert Brown and the four band members. Two of them were Michael Dean and Aaron Dixon, both members of SNCC and both wearing their "SNCC-Black Power" jackets⁵ at the time. Dixon's statements to Mrs. Lola Carson (my Gal Friday) indicate that the kids throwing the rocks were junior high school students or younger;

⁴ Two Nobles brothers, Pettyjohn, and Hooks. A fifth person arrested with the band members was Albert Brown.

⁵ They report that at the time of their arrests, they were the only two people in the area wearing these identifying jackets.

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Feuillan-Rodgers, page 3

and a statement to a police officer that "We're not goin' to have any police brutality around here; this is not the South!" The police reports variously describe Dixon as the "instigator," and "the leader."

Dixon is a likeable young man going to the University of Washington on an Urban League scholarship designed to provide college educations for disadvantaged students whose high school records would otherwise have made it impossible for them to be accepted. His demeanor is good and his testimony credible, except for one fact: his positioning in the crowd throughout the incident is explained only by the theories that he was either highly interested in what was happening, that he was actually participating, or that he was inciting. Any of these theories, under Washington law, would be enough to convict him.

Michael Dean stated to Mrs. Carson and also testified in court that he had left the dance to get something to eat and upon his return, noticed the commotion at the Y, where he was to meet Dixon. He was arrested, he said, when he got out of his car to check for rock damage. Two officers' testified, however, that they observed Dean throwing a large rock.

The Jacques Gibson Case. The other person arrested on the night of the YMCA disturbance was Jacques (Jackie) Gibson, a 23-year old Negro woman, who, on several fronts, is making charges of police brutality.⁶ We learned of her charges through a radio "talk show"⁷ and through Fitzgerald Beaver, the Editor of the Facts, a Central Area weekly newspaper. On Friday, January 5, Mrs. Carson and I went to the home of Mrs. Casey Jo Allen, 1106 - 31st Avenue South, where we interviewed Miss Gibson and her friend, Portia Owens, an 18-year old Negro girl, who purported to have witnessed the incident involving Miss Gibson. The story relates back to September 3, 1967, when, according to Miss Gibson, two police officers "took her for a ride" to Issaquah, a little town near the mountains and some 30 minutes from Seattle. (To "take a girl for a ride" is one method that the police allegedly use to harass the girls who practice prostitution, quite apparently Miss Gibson's trade.) She was left beside the highway after the officers had taken her coat and eventually made her way to the Foothills Restaurant, where she phoned her friend Mrs. Allen for help. Mrs. Allen confirms this and states, in addition, that she drove immediately to Issaquah, arriving at approximately 1 a.m., where she picked up Miss Gibson and brought her home. The day after, Miss Gibson retained an attorney, John Caughlan, and

⁶ CORE is investigating the charge; a letter has been written by Mrs. Allen to the Facts and the Afro-American News; the grievance has been aired on Sonny Buxton's KYAC radio show, and she has also filed complaints at the police department and at the prosecutor's office.

⁷ Sonny Buxton's Talk Show, KYAC, Sunday, December 31, 1968. Buxton, an articulate, Negro disk jockey is concerned that there is an "element in the community bent on stirring up serious trouble."

told him the story. He told others, including members of the American Civil Liberties Union, and the story reached me from two separate sources in addition to Miss Gibson. Undoubtedly, the police got wind of it, as well.

This is sufficient background to the incident near the Y that gives rise to Miss Gibson's recent charge. At approximately 12:30 a.m., a time that is agreed upon by Mrs. Allen, Misses Gibson and Owens, and the arresting officers, Miss Gibson had just finished a telephone conversation with Mrs. Allen in which they discussed the disturbance at the Y. The phone call was made from a booth at Albertson's Grocery,⁸ about two blocks from the Y. After the conversation, Miss Gibson and Miss Owens left the phone booth and started toward Miss Gibson's car, a 1967 White Pontiac, when a "plain (unmarked) beige car" drove up, in which three plainclothes officers were riding. One officer motioned for Miss Gibson to come over to the car, but she refused, asking instead why she was being called over. The officers then "jumped out of the car" and "grabbed" her. One reached for Miss Owens, but she pulled away and backed off, standing some feet away while the officers wrestled with Miss Gibson. In the struggle her wig and glasses were knocked off, and the glasses were returned to her only after they reached the station. Miss Gibson states that she recognized two of the officers immediately as the two that had driven her to Issaquah.⁹

When they had handcuffed her and succeeded in getting her into the car, the driver said, "I told you what we were going to do the next time we saw you. The reason we beat your black ass is because you told about us taking you to Issaquah." The officer in the back seat asked whether they were "going to take her for another ride or book her." The driver replied that "we had better book her because too many people saw us arrest her." (Several people had emerged from nearby establishments and two other officers had driven up as the arrest was being made.) From the back seat: "What are we going to book her on?" Driver: "I'll think about it." Shortly his conclusion was that she should be booked for profanity, disturbing the peace, and resisting arrest.

Miss Gibson also stated that the officers made a thorough search of her purse, reading letters and other papers, and going through all the zipper compartments. When they reached the jail, Miss Gibson asked the matron for the names of the officers. Only two names, Skagen and Halvorson, were given to her, leaving one officer unidentified. Thus, though she could identify by face the officers who took her to Issaquah, she did not know their names, so she is unable to name which two of the three arresting her at Albertson's were the ones who made the Issaquah trip.

Both women express a readiness to take a lie detector test. Other evidence would be testimony by Miss Gibson's doctor, who treated her for a

⁸ For a "map" of the area, see Appendix A.

⁹ The officer driving, according to the testimony at the trial, was William D. Schenck. Miss Gibson stated previously that the ones (cont'd)

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The private explanation by the police department is that surely the whole affair is an attempt by the pimps, who are highly organized and bitterly resentful about current tough departmental policies with regard to the problems of vice, to "set up" and "make trouble" for the department. The pimps "have everything to gain by this kind of scandal and nothing to lose." The charges brought by Miss Gibson are being investigated by the department, but the results of the investigation will not be made known until some time after the trial -- so as not to prejudice the case!

The Dag's Drive-In Incident. After the January 5th basketball game at Franklin High School¹⁰, a large, mixed group of students gathered at Dag's, which is just across the street from Franklin.¹¹ Four or five firecrackers exploded and the crowd began to get excited. Officer Robert L. Moffett, a Seattle Police Officer working "off-time" and in uniform at Dag's¹², directed a portion of the crowd to move from a walkway that led to the service window. One Negro teenager said to the officer, "to hell with you, . . ." In the meantime, Linda Rodriguez, a teenage Negro girl, was just receiving her order at the window. Upon discovering that she hadn't enough money to pay for the order, Linda said to the waitress, "Wait, I have to go get some money." The waitress, sensing the excitement of the crowd, shouted, "Don't go away!" At this point Linda was shoved or grabbed by Moffett, who was apparently trying to find out who was shooting off the firecrackers and to clear the walkway. She issued a stream of profanity, demanding that the officer take "your goddamn hands off me!" She began kicking and struggling, and a crowd began to gather around the disturbance. (The police report indicates a slightly different set of facts. Linda was reported to have been arrested in the walkway because of her refusal to move after having been asked to do so "seven or eight times" by the officer.)

(note 9 cont'd) who took her to Issaquah were the driver and the officer in the back seat.

¹⁰ Franklin High School has approximately 20 percent Negroes and 20 percent Orientals.

¹¹ The following information was given to me by three Franklin teachers, Brennan King (Negro), Don Iverson, and Robert W. Pevonak, in an interview on January 16.

¹² He also had a motorcycle, but it is not clear whether the vehicle was a Seattle Police Department vehicle.

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After Linda had been placed in the patrol car, the officers radioed for assistance, for the crowd had gathered around and begun rocking the car.¹³ About two minutes later approximately 24 police cars had gathered, most of them patrol cars;¹⁴ it is not clear whether lights and sirens were being used. Several other kids were arrested at this point,¹⁵ and two of them report being kicked and cursed by an officer after asking why Linda was being arrested.

The teachers at Franklin that gave this account have indicated that Officer Moffett, whether he acted properly or not, "is dead around here." "The kids hate him." "Saying 'Moffett' is like saying 'Nigger.'" "It is clear that he should be removed from his position at Dag's and transferred to another area of the City." It was their view, in addition, that Moffett might have avoided the trouble if he had approached Linda more gently than he did. She is by nature a very fiery girl, and this characteristic would be accentuated if the officer grabbed her without justification.¹⁶

When the kids were questioned by these teachers about whether the officers used any racial slurs, they stated that Moffett did not, but that another officer said, "We'll take care of you damn Niggers." The teachers are inclined to believe this report, because, they say, if the kids were lying, they would say that Moffett, not some other officer, was the one who used the term. Moffett, of course, is the one they now hate so bitterly. One teenager arrested -- the President of the Franklin Teen Council-- stated that the officer referred to him as a "mother fucker" after he had been handcuffed and placed in the patrol car.

In addition to the incidents discussed above, there were three molotov cocktails thrown in the Central Area within two and a half weeks of the Y incident. The first was thrown at the Central Area Youth Association (CAYA) on the same night as the Y disturbance, and the fire was controlled before much damage was done. Another firebomb was thrown at the Mt. Zion Baptist Church, which is predominantly, if not wholly, Negro. Another was thrown at Bluma's Delicatessen, where narcotics agents a few nights earlier had made an arrest.

¹³ According to the Seattle Times, Jan. 6, 1968, p. 13, c. 8, "the incident began when a girl, 15, was arrested and placed in a police car and a crowd of youths surrounded the vehicle, kicking and rocking it."

¹⁴ The newspaper account, supra note 13, stated that 15 police units were called; the police report indicates that as many as 26 units were on the scene; the teachers heard reports from the kids that from 12 to 24 cars were on hand. The fact that some of the cars were unmarked is the apparent reason for the discrepancies.

¹⁵ Altogether six teenagers, five Negroes and one white boy, were arrested.

¹⁶ I just received a portion of the Rodriguez transcript. See Appendix B for some interesting testimony by Moffett.

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Community Attitudes. What emerges from our inquiry into these incidents is not so much a concern that the police used unnecessary force or otherwise acted improperly, but a concern about the bitter feeling in the community towards what is regarded, rightly or wrongly, as police brutality -- an eagerness, if you will, to use the nightstick. I know personally of two young people, for example, who have purchased fire-arms since the Y incident. Our knowledge of this bitterness comes from numerous conversations with community leaders and residents, as well as various community meetings during which the subject was discussed.

Exactly one week after the Y incident, the police held their bi-weekly meeting with the Youth Advisory Council, a group of Negro teenagers¹⁷ that meets with Community Relations Officers to discuss mutual problems relating to law enforcement. In addition to the usual group, there were approximately seven kids that had been at the Y, five of whom had been arrested. Also present were two of the police officers that were on the scene, Sgts, Sandbeck and Skagen. The confrontation was hostile and the angry teenagers made no attempt to hide their hatred for the police. Their major complaint, as I mentioned earlier, was that the police "beat up on them" for no reason at all, that they were simply around behind the Y loading their instruments and that the kids who had thrown the rocks had climbed the fence and ran. (These kids, incidentally, were not alleged to have thrown rocks; the charge is "disturbing the peace" and presumably related to their alleged behavior in using profanity and resisting arrest.)

The officers explained their view of the incident, and at one point Hooks, a band member, interrupted Skagen and accused him of having told him to shut-up and then hitting him. Skagen denied this. Sgt. Sandbeck gave an account that sounded very sincere, truthful, and plausible, but as I recall, he never actually denied that force had been used.

On January 11th another community meeting was held, this one called by SNCC; representatives from most "Negro" organizations were present -- CORE, Urban League, Human Rights Commission, Negro Voters' League, and others.¹⁸ I was the only white face in the group and the hostility of some of them toward me was quite apparent. The purpose of the meeting was to "do something" about police brutality, and to "do something" about SNCC's image being tarnished by "everybody trying to blame these incidents on SNCC." The various incidents were described in detail, and the general

¹⁷The joint executive councils of CAMP and the Detached Workers comprise the Youth Advisory Council

¹⁸Ernestene and Tom Givan, Lloyd Jackson, Waverly Davis, E.J. Brisker (he called the meeting), Carl Miller, Bob Maxie, Berry Carter (cont'd)

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conclusion (no vote was taken, and it is thus impossible to say that a "consensus" was reached) was that investigations should be made and then complaints should be filed.

Disposition of the Cases. The enclosed clippings indicate the disposition of the cases. The clippings do not reflect, however, the antagonism that was seething in the courtroom on Wednesday. Justice, quite simply, did not "appear to be done." The Pro Tem judge had not the slightest warning of the cases that were to be tried before him. The trial began at 3 PM and terminated around 8 PM without a single recess. Despite the absence of a conspiracy count, all the four defendants were tried together for the sake of convenience. (This probably did not prejudice anyone, however,) Miss Gibson was found not guilty on the charges of profanity and disturbance, but guilty of resisting arrest. It appeared to the onlookers that the judge went out of his way to find probable cause for the arrest. This step was necessary under Washington law in order to find Miss Gibson's resistance unlawful. After Miss Gibson had been found guilty, her lawyer made a rather impassioned appeal to the judge: "Your honor, this is why we have trouble up there (in the Central Area). There is a proper acquittal and yet the defendant is convicted of resisting arrest. The situation is intolerable. This sort of thing cannot be allowed to stand!" At this point the 50-odd young people (Negroes, most) in the audience burst into applause.

After Miss Gibson's conviction, several other witnesses for the other three defendants were presented. The courtroom became more and more restive and the rumblings reached a peak when Dixon was convicted and the judge gave his "respect for authority" speech. The judge decided that Dixon was indeed a leader in the community, but it was "highly unfortunate that this (leadership) is not directed toward what I consider better ends." Kenneth Pettyjohn was found to have used profanity, which the judge conceded was "relative, but use in this situation is even more unwise. It created a disrespect for the officers in the eyes of the people." At this point the audience scoffed audibly.

When the crowd filed out after the trial, there were statements such as "And they wonder why we riot"; "White man's justice!"; and "I won't go to Viet Nam and fight for justice!"

(note 18, cont'd) Roosevelt James, Billy Jackson, Ed Pratt, Jerry Page, Roberta Byrd, Waymon Ware, Lola Carson, Mike Ross, Ed Russell, Floyd Gossett, and several others whose names I don't know. Altogether 30 Negroes. (Jacques, you must be wondering why I'm being so specific. I'm writing this partly for my own files.)

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The news of the convictions--other than what appeared in the paper--will certainly spread, for the interest in the outcome was high. After the trial I stopped by a Teen Council meeting in the Central Area and arrived just as the meeting was closing. The President wondered why I was late, and I said, "I've been in court." The kids gathered quickly and asked, "At Aaron's trial?" They had been waiting for the results, and these kids are not SNCC members.

* * * * *

Thank you for your letter of the 7th. Unfortunately I have no information other than what I gave you. The IACP has not yet acted; the merger (whatever its form) is only rumored. But I'd bet more than even odds that they will recommend just what we all oppose.

I have not yet heard from Dante Andreotti about the tests. Perhaps you will learn something new during the March meeting.

It is coincidental that you send mr Errol's pamphlet. We have just decided that we should draft something similar. Because there was a surprising amount of disagreement during discussion of this idea, however, the booklet, once written, has no guaranty of publication. I believe it can be done, though, so that all factions are satisfied. I'm looking forward to studying Errol's draft and will be glad to send along any comments I might have.

I've been terribly busy with problems of recruitment and our proposed youth patrol. (If you have any information about youth patrols, I would be grateful for it.) I cannot supply you with details, however, for I must finish this ridiculously long epistle. Already, this has been delayed so long that you probably will receive it too late for your meeting of the 13th.

With cordial regard, I am

Faithfully,

(signed Linda)

Linda A. Rodgers