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FIELD SURVEYS IV

The Police and the Community

Volume 1

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A Report of a Research Study Submitted to
THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT
AND ADMINISTRATION OF JUSTICE

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THE POLICE AND THE COMMUNITY :
The Dynamics of Their Relationship in a Changing Society

Sections I and II

A Report Prepared for
The President's Commission on Law Enforcement
and Administration of Justice

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The Law Enforcement
Code of Ethics

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all men to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department; whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions; with no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession — law enforcement.

SECTION I - INTRODUCTION:

THE METHOD OF STUDY

Dramatic changes in urban population have required that reappraisals be made of modes of governmental operation. Vast are the implications of these changes for the reorganization of law enforcement agencies and for the redefinition of their functions. Quantitatively, the displacement of booming populations to ever-blossoming suburban areas and the evolvement of the "metropolitan area" has introduced the problem of jurisdictional competition and confusion among myriad sub-communities. Even more elusive, and perhaps more difficult of resolution, are the qualitative effects. Population growth has changed central city concentration little, but the "flight to the suburbs" has drained the central city of those groups in the population which traditionally were forces for social control and stability. Responsibilities for such control come to rest more and more in government and, more specifically, in law enforcement agencies. While the city provides decreasing psychological security for its inhabitants, it is the crying need for such security which characterizes increasing proportions of the population, and especially the rapidly growing numbers of minority group members caught in the difficult transition from folk to urban values and an increasingly emancipated youth culture. Satisfaction of this need is not a constant -- with changes in composition in the population, unceasing reassessment is required. If the dialogue between the community and law enforcement agencies breaks down, reassessment becomes impossible and the potentialities for constructive action are sharply curtailed.

We are witnessing a breakdown in this dialogue. We are witnessing too, paradoxically, a development not only of distance but of polarities between the police and groups within the community they serve. Rather than standing "in relationship to," we find them in the unfortunate position of being "in confrontation with," among others -- racial and ethnic groups, social action and civil rights groups, the adolescent community, and the court. More than at any other time in our history, the police are estranged from other agencies and from groups within the community. This is the most urgent problem facing our police today. This is perhaps the most urgent problem facing our cities today.

1. We are interested in dynamics, and not alone in the assessment of the general state of public opinion. We intend to develop recommendations for action. Meaningful action depends upon an understanding of underlying mechanisms. Our research techniques have been aimed at the discovery and assessment of such mechanisms.

2. We proposed to bring about specific findings rather than to speculate or to report the traditional folk wisdom. The nature of the information required lent itself to investigation by the research techniques described.

3. The study has covered the attitudes of the police and various elements of the public toward each other; services which the police can perform to improve police-community relations; special institutions which can be created by the police concerning police-community relations; police personnel policies; law enforcement methods relating to police-community relations; the amount and kind of police brutality, indignities, and other misconduct and methods for controlling it in the future; and the contribution and responsibility of community groups for better police-community relations.

This study focussed upon two major cities, one on the east coast and one on the west coast. The School of Criminology submitted a list of ten cities to the President's Commission with its original proposal. After consultation between the University and the staff of the President's Commission, San Diego and Philadelphia were agreed upon as the cities to be studied. Both of these cities had been on the original list of cities proposed to the Commission for study. After consultation, it was felt that these two cities would offer appropriate contrasts for comparative study purposes.

The overall research design for the project is set forth in the following outline. Basically, it was proposed to use six different research methods and to focus upon both the formal and the informal social systems which seemed to be central to the police-community relations field. The outline of the research method is, as follows:

A. Formal community and police structure:

1. Familiarization -- with community structure, organization, etc.

- a. identification of formal relationships and inter-relationships of various segments
- b. identification of apparent, informal organizational and institutional leadership
- c. identification of crime and delinquency patterns and police response thereto
- d. historical identification of recent patterns of police effort, taking into account the pattern of expressed relationships
- e. introduction to community leaders
- f. field investigations to reveal qualitative information on the city from key informants

2. Administrative and functional analysis of police department as it is organized for effecting community relations
 - a. formal organization outline
 - b. T/O -- including identifying police personnel of minority-group ancestry and interviews
 - c. review of rules and regulations and S.O.P. as set out in official orders, manuals, etc.
 - d. formalized procedures for handling complaints about police service and behavior
 - e. formalized procedures for relating with and handling juveniles
 - f. formalized methods of disseminating public information -- including content analysis
 - g. formalized methods of relating to courts, attorneys, and other aspects of the legal world

B. Informal social structures (social systems) of the police and of the community:

3. Structured interviews with the following persons:

- a. police executives
- b. police supervisors
- c. community leaders
 - (1) labor
 - (2) welfare organizations
 - (3) churches and religious organizations
 - (4) neighborhood groups
 - (5) ethnic groups -- to include social action groups
 - (6) poverty program organizations
 - (7) political organizations
 - (8) other community groups developed during field investigation
- d. governmental leaders
- e. representatives of the press, including minority group and neighborhood press
- f. judges, prosecutors, and attorneys
- g. citizens

4. Participant observation of the following occurrences, situations, etc.

- a. police patrol methods, including roll-call sessions
- b. police juvenile methods
- c. police training academy sessions
- d. police communication methods, focussing upon courtesy, sensitiveness, etc.
- e. selected incident analysis

- f. police booking and custody processes
 - g. neighborhood meetings in conflicted neighborhoods
 - h. city council meetings and minutes
 - i. other meetings developed during earlier stages
5. Recorded group meetings
- a. social justice organization meetings
 - b. juvenile justice committee meetings
 - c. youth group meetings
 - d. neighborhood group meetings
 - e. other meetings
6. Panel method sessions
- a. police executives
 - b. police juvenile officers
 - c. police supervisors
 - d. police patrolmen-policewomen
 - e. probation officers
 - f. attorneys, to include "legal redress" organization attorneys
 - g. community organizers
 - h. social justice organization members
 - i. clergy and lay religious leaders involved in crime and delinquency prevention programs
 - j. recreation leaders

PROPOSED Methods and Techniques Which Are Appropriate to the Special Nature of the Problem and the Critical Time Factors

The following research methods have been used productively by the School of Criminology in previous research projects:

1. Participant-Observation:

Participant-observation is a classical field work technique used in anthropological and sociological research. The researcher immerses himself in the activities of the group he is studying, and in the course of participation he is able to systematically observe and record actual behavior. He usually supplements his observations with informal or formal interviews to provide an immediate commentary on the events he is observing. This combination of recorded observations and interviews provides an unusually accurate empirical body of research materials for scientific analysis. In this project the investigators accompanied police officers in their daily routine, observing and experiencing desk work and field and community activities. We in this way gained an understanding of both the scope of the officer's activities, and of the rationale underlying them.

2. The Panel Method:

The panel method has been used to elicit information from the informants. This is a way of obtaining social data which has been used by researchers for many years but in an informal way. Essentially it involves a group interview of selected informants who reveal the substance of the life they lead and its important processes. The term in survey research has generally referred to a technique of repeated interviewing over a period of time: a selected sample of individuals representing a particular universe are queried individually at two or more different times on their attitudes or opinions.

The approach developed by the School of Criminology in gathering information evolved out of a project whose aim was to develop more authentic training materials for use by agencies of criminal justice in relation to juvenile delinquency. This required an intensive inquiry into the generic relations and processes of specific forms of organizational life within which the training would be introduced. A way had to be found to gain access to police, probation and court organizations and to their inner workings. Bureaucracies cannot be put in a laboratory as can small groups; significant data about organizational functioning are usually closely guarded secrets. The investment of energy to study adequately one large scale enterprise is enormous. Consequently some sociologists have abandoned their central task of studying social organization in favor of the study of simpler units where the data is more accessible. Others have attempted to develop shorthand methods for describing and comparing organizations using survey research techniques. These involve the quantitative manipulation of appropriate indicators which stand for masses of other data. They have ingenuously employed the records of individual and organizational behavior kept by the organizations themselves (i.e., administrative statistics) to provide quantitative evidence of relationships, processes, and trends.

The most meaningful kind of data about organizations, groups, or sub-cultures, however, comes not from these formal methods but from "sympathies and identities established through close familiarity which reveal meanings and give insights denied the formal investigator."¹

This was the primary method used by the Chicago School. It begins with a vague formulation that seems to give some order to the reality to be studied. Before reality can be clarified we have to immerse ourselves deeply in the phenomena so that the essential relationships are discovered. This can best be done by participant-observation as Whyte did with his street corner groups, as Becker did with his jazz musicians, and several generations of Chicago students did with a variety of occupations, professions and types of community. The concern in participant-observation is the development of a

¹J.D. Lohman, "The Participant Observer in Community Studies," Am. Soc. Rev., II (1937), pp. 890-97.

"natural typology" already discerned within the group.

The aims of the panel method as we have developed it are the same: to establish sympathies and identities through close familiarity, which reveal meanings and give insights into the workings of organizations and other collectivities, as they function dynamically.

The perspectives of the informants as revealed in the panel method cannot be primarily inferred from organizational or community statistics, from individual responses on a questionnaire, or even by individual interviews. These techniques may be ancillary and provide some validation to processes empirically observed or raise questions about the validity of generalizations made from informant group discussions; they are no substitute, however, for the panel. The panel method is essentially a method of having a select group of individuals who have had the experience under study collectively present and discuss their experiences. It is necessary first to secure individuals who in addition to being immersed in the given area of experience are intelligent, perceptive and articulate. This is why the ordinary canon of a representative random sample is not a good guide in this type of study; an individual may have extensive experience of the sort being studied but be hopelessly unknowledgeable about it -- he may be a poor and dull observer of both himself and of others. To the contrary, our type of study requires individuals who have the experience and who are also sharply knowledgeable about it; we need individuals who are good observers of themselves and others, who have some insight into what they observe, and who can be reflective and articulate about their observations. Our experience is that in the ordinary run of people it is possible to find individuals of this sort.

But this sort of study cannot be successfully accomplished merely by getting the separate accounts of experiences of such individuals. Instead, it is necessary to subject such accounts to critical scrutiny and analysis by a group of such individuals. It is in this crucible of collective consideration that one is able to strip away what is flamboyant, overexaggerated, irrelevant, and misrepresentative, and to fill in gaps and bring items to proper perspective. Our experience shows that with a proper set of such individuals the collective discussion of the area of experience stimulates the participants to bring to light matters which each of them may have overlooked in his separate account and to correct what is phoney and out of perspective. Such a set of individuals can be the severest body of critics, and since they know the given field of experience, although be it from different angles, their collective judgment comes nearer to yielding a valid picture than any other method that we know.

The panel method could be described as a kind of participant-observation. The aim is the same but the attempt is to elicit the data in a more economical way. The problem of gaining access to an organization is solved by involving the organizational leadership in a joint project whose outcomes will be beneficial to it. For instance, in developing training material for agencies of juvenile justice, the project was to forge a more meaningful cur-

riculum to enable the agency to achieve its own goals more efficiently. Consequently staff members of the participating organizations were designated to meet with the investigators. This legitimized their participation, and their own job performance evaluation was made partly dependent on their cooperation and regular attendance. The initial task in an organization where the top leadership has required staff participation is to overcome resistance. The reaction of the staff is likely to be: "How far should I go in what I say? To what extent can I reveal the inner workings of the organization?"

The first stage in the development of the panel is one we have characterized as "the public relations stage." The character of information revealed is primarily for public consumption. Progress beyond this stage is made possible by the procedure we have evolved in posing questions to our informants. Case material is presented to them in the form of a problem -- "What would you do under such and such circumstances, what decisions would you make?" This generates a discussion of the alternatives available to people in their organizational roles and the acceptable variations within them. The discussion puts the informants into the position of defending their roles and the problem solving devices which are a part of them. In the process these roles are then made explicit. The sessions are somewhat like role playing discussions and in this respect are different from the experience of participant-observation. There is a certain contrivance in this use of the panel method that is absent in participant-observation. The panel meetings enable us to separate individual perspectives from those which are collective and to make some judgments on the credibility of informants. The panel experience also permits us to observe how much bias there is in the volunteered statement versus the directed one.

The study, itself, would have been impossible without the cooperation of many different individuals and agencies. There were, of course, persons in both cities who overtly demonstrated that they suspected both the nature of the study and the personnel who were involved in the task. This certainly was not the theme, however, which characterized either city. The instances of uncooperativeness were relatively minor, and these should properly be categorized as individual idiosyncratic behavior. Although no formal record of these types of incidents was kept, it seems fair to say that research team personnel encountered this type of attitude in no more than three per cent of the contacts they made.

This same spirit of cooperativeness characterized the contacts which staff members had with police officials in both cities. Since the police system in both cities was central to the study, no meaningful study could have been made without police cooperation. Rarely, if ever, were staff members denied access to any official records. There were, of course, instances where clearance had to be obtained for these records, but this was granted in each case where staff members pursued the matter. There were, of course, instances of individual uncooperativeness, but these were also rare. In some cases, police officers simply wanted to obtain the necessary "clearance" from higher officials. Once this was obtained, police officials were in almost

all cases cooperative and candid. Openness with the research staff, therefore, is a fair term to use in characterizing the police leadership of both San Diego and Philadelphia. Once our mission was explained to be that of assisting in the improvement of the police service, a spirit of cooperation generally pervaded the police departments of both cities.

It should be emphasized that the cooperation of the police departments was central to the success of the study. Such a study could have been made, of course, without their cooperation, but this would have denied members of the research staff access to vital information. The importance of this information can be appreciated when one considers the paucity of information which is generally available about police operations. When compared with the need, it is fair to say that no field of knowledge has yet accumulated an adequate fund of information about the operations of police departments. Compared with other aspects of local and state government, police agencies represent an almost unknown territory. Neither political science nor sociology -- two of the disciplines which should be most directly concerned with the police -- have systematized a body of knowledge to explain and describe police systems. With few exceptions, both of these disciplines have ignored the police. The field of criminology -- a comparatively new branch of knowledge -- has only recently expressed its interest in the police field.²

This introduction would be incomplete without mentioning the fact that the University of California was denied permission to study two other cities. These two cities -- also on the original list of ten cities submitted to the Commission -- were Oakland, California and Baltimore, Maryland. Negotiations with these two cities were begun prior to contacting either San Diego or Philadelphia; these negotiations were initiated at the request of the Commission.

In the case of Oakland, California, permission to conduct the study -- under the auspices, of course, of the President's Commission -- was denied by the City of Oakland, itself. The general reason given was that the proposed study was coming at an "undesirable time" and would interfere with the overall operations of the police department. The letter from the City Manager of Oakland which denied permission attested to the fact that the

² This lack of knowledge about the police system has an obvious implication for the field of police-community relations. Why the scholars have so long ignored police operations has significance to the general esteem of the police, and to the importance which academics and others have ascribed to the police.

city had formerly cooperated with other studies conducted by the University and apologized for being unable to accommodate the University in its present request.

The case in Baltimore was quite different. Despite the general re-organization which the Baltimore Police Department was then undergoing, the request to conduct this study was enthusiastically endorsed. The Mayor, the newly appointed Commissioner of Police, community leaders, and others warmly expressed their desire that the study be conducted in their city. Negotiations were completed later in the same week that the Congress of Racial Equality announced its intention to make Baltimore its "target city" for 1966. Despite this development, city officials gave their blessing to the study. The administrators of the University's research team agreed that the entrance of C.O.R.E. into the city would materially add to the importance and relevance of the study.

The staff of the Commission felt that a study of Baltimore would be "inappropriate" because C.O.R.E.'s "intervention" threatened the application of the Baltimore study to other urban areas. With the approval of the Commission, negotiations were then initiated with San Diego and Philadelphia. Both cities immediately agreed to permit the study.

This recitation of a portion of the "history" of this study explains something of the present condition of police-community relations. This condition adds to the difficulty of conducting a meaningful study of the situation. The controversy which surrounds the central problems of police-community relations tends to promote and to generate a "we" versus "they" dichotomy. The "actors" who are involved in the controversy are often prone to ask the question: "Whose side are you on?" The assumption is made that the issues are clear and that a decision of "commitment" should be forthcoming. Persons who express a neutral position are often made immediately "suspect."

The issues, of course, are not that clear nor does the problem involve only a question of "good" versus "evil." The dynamics of police-community relations are complex and they defy simplistic determination of allegiance to one side or the other. In fact, the "choosing up" of sides is one of the current perils of the problem. Rather than making an analysis of the matter, persons arranged on either of the "sides" of the issue are prone to ascribe "evil" motives to those with whom they find themselves in conflict. The overriding assumption of this research study is that there are other explanations for police-community relations problems; consequently, there are available solutions which go beyond simply "pinning the blame" upon persons with evil intentions.

* * * * *

SECTION II - SAN DIEGO

Chapter One:

SAN DIEGO: ITS SOCIAL AND GOVERNMENTAL SETTING - THE TERMS AND CONDITIONS FOR RELATIONSHIP

A. Geography and Physical Characteristics

San Diego, California's third most populated city, is located in the extreme southwest portion of the State on the Pacific Coast. In 1958, a southern corridor, the Mission Bay area, was annexed and this extended the city's jurisdiction to the Mexican border. San Diego's proximity to the Mexican border and Pacific Ocean attracts tourists and establishes it as a trading center with Latin America and the Orient. Transportation and communication systems link the regions along the coast, but the Penninsular Range, inland from the coastal plain, acts as a physical barrier which tends to isolate San Diego from the east. Los Angeles, 125 miles to the north, dominates the region, attracting many of the specialized industries and cultural centers which might otherwise go to San Diego.

San Diego's territory of 304 square miles makes it the nation's fifth largest city in terms of land area. Canyons, hills, and streams naturally divide the city into sections. Forty-three percent of the terrain is steep hillside; yet within the city itself, there are 1,492 miles of streets and highways.

The Center City, located near Mission Bay, is the traditional downtown area. There are, however, additional shopping districts in the surrounding residential areas. The population of San Diego lives in a variety of clearly definable communities, each with local loyalties and discernible class patterns usually based on socio-economic and community values. The San Diego General Plan Study lists a number of study areas each having common unifying characteristics which give them community identities.

Table 1: POPULATION IN SELECTED SAN DIEGO COUNTY COMMUNITIES

COMMUNITY	YEAR 1960		YEAR 1975	
	Number	% Ages 0-19	% Ages 65 +	Number (Est.)
La Jolla, Pacific Beach, Mission Beach	50,820	29.9	11.4	82,000
Clairmont, Linda Vista	76,209	46.5	2.2	135,000
Serra Mesa	18,411	48.6	1.2	29,000
San Carlos	17,646	46.7	1.6	51,000
Point Loma	54,487	36.9	6.6	84,000
Central	126,351	27.6	14.6	185,000
East San Diego	100,617	33.6	10.0	131,000
Encanto	68,095	47.2	3.5	105,000
South Bay	29,483	47.2	3.7	65,000

Source: The San Diego General Plan Study, City Planning Commission, City of San Diego, 1962.

La Jolla and Point Loma are elite residential areas with expensive houses along the ocean, northwest of the downtown section of the city. Pacific Beach, Mission Beach, North Park, Normal Heights, Kensington, Golden Hills, East San Diego, Ocean Beach, and Federal Boulevard are middle-class residential areas with relatively dense land use. The South Bay area, including San Ysidro, is the recently annexed, sparsely populated section of the City of San Diego adjacent to the Mexican border.

Logan Heights is primarily the Negro and Mexican-American residential area. There is, however, the exception of a relatively stable Negro population in La Jolla; it is comprised of a "servant group" which maintains residence there. There appears to be little association between the La Jolla community and the one in Logan Heights.

Nearly one-half of the dwelling units in the city have been constructed since 1950, but these are mainly in the outlying parts of the city. The 8.5 percent of the housing units in the city classified in 1960 as "deterior-

ated" or "dilapidated" are concentrated in the central San Diego area, southeast of Center City, which includes Logan Heights. There is no public or governmental housing in the entire county.

The automobile is the principal means of transportation. A relatively low percentage of workers use public transportation - 7.8 percent in the City of San Diego compared to 13.1 percent in Los Angeles and 16.1 percent in urban areas, generally, in the United States.¹

B. Population Characteristics

The San Diego area is one of the fastest growing regions in the nation. In 1920, San Diego was a small city of approximately 74,000 people; by 1960, its population had increased to 573,224. Over the same period, the County of San Diego grew at an even faster rate - from 112,248 to 1,033,011. The decade of the 1950's was a time of particularly rapid growth. Between 1950 and 1960, the city's population increased by 71.4 percent and the county's by 85.5 percent. Today, the former "Mission City" is the sixteenth most populous city in the nation and the third largest city in California. By 1985, the city and county's populations are expected to double, and by the year 2000, it is predicted that the county's population will have tripled. Presently, the most rapid growth areas are on the fringes of the city - especially the northern edges; after 1975, it is estimated that the population growth will be concentrated in the South Border area.

Although Southern California has a reputation as a haven for the elderly, the largest percentage of the population increase in San Diego has tended to be in the younger age bracket. Only 7.6 percent of the city's population is sixty-five years old and over as compared to 8.9 percent for urban California and 9.0 percent for the urban United States.² The concentrations of elderly live in the central area, south and west of Balboa Park (which is not far from the downtown area and houses the zoo and cultural facilities) and in La Jolla.

¹The San Diego General Plan Study, City Planning Commission, City of San Diego, 1962.

²Ibid.

Table 2: AGE DISTRIBUTION IN SAN DIEGO CITY AND COUNTY, 1950 AND 1960

AGE IN YEARS	CITY				COUNTY	
	1950		1960		1960	
	Number	Percent	Number	Percent	Number	Percent
Under 18	88,879	26.6	188,120	32.8	359,660	34.8
Under 21	108,464	32.4	231,294	40.3	431,395	41.8
21 - 64	198,020	59.2	298,878	52.1	525,172	50.9
65 and older	27,903	8.3	43,352	7.6	75,444	7.3
Total	334,387	----	573,254	----	1,033,011	----

Source: U.S. Bureau of the Census, 1950 and 1960.

Table 3: AGE DISTRIBUTION FOR NON-WHITES
IN SAN DIEGO CITY AND COUNTY, 1950 AND 1960

AGE IN YEARS	CITY				COUNTY	
	1950		1960		1960	
	Number	Percent	Number	Percent	Number	Percent
Under 20	6,189	33.7	19,833	44.4	25,244	44.3
Under 25	8,155	44.4	24,324	54.4	31,762	55.8
25 - 64	9,521	51.8	19,089	42.7	23,534	41.3
65 and older	688	3.7	1,293	2.9	1,644	2.9
Total	18,364	----	44,712	----	56,940	----

Source: U.S. Bureau of the Census, 1950 and 1960.

The City of San Diego is primarily white middle class, and ethnic minorities comprise only a small percentage of the total population. In 1960, there were 29,085 Mexican-American citizens in the city and 50,402 in the county. There were 40,427 "foreign born" living in the city and 65,263 in the county - most of whom are assumed to be of Mexican descent. In 1960, the 34,435 Negro residents of the city comprised 6.0 percent of the city population. Almost 88 percent of the Negro population in the county lives in the city. Virtually all of the Negroes in the city (98 percent) live in the southwest section of the downtown area, i.e., in the Logan Heights area. Eighty-eight percent is concentrated in eleven census tracts. Although the Negro community is small, it has more than doubled in the 1950's. In 1950, the Negro population was 14,904 or 4.5 percent of the total. Between 1950 and 1960, the Negro population increased 131.0 percent while the white population increased by 67.2 percent.

Table 4: RACIAL DISTRIBUTION IN SAN DIEGO CITY AND COUNTY, 1950 AND 1960

	CITY		COUNTY
	1950	1960	1960
TOTAL (NUMBER)	334,387	573,224	1,033,011
White*	94.5	92.2	94.5
Negro*	4.5	6.0	3.8
Other*	1.0	1.8	1.7
Spanish surname -- natives	N.A.	5.1	4.9
Foreign-born	N.A.	7.1	6.3

*In percentage.

Source: U.S. Bureau of the Census, 1950 and 1960.

As of September, 1966, it is estimated that 110,000 military personnel are in the county. In 1960, transient military personnel residing in the city comprised 11.6 percent of the population.

The University of California has recently opened a new campus in north San Diego and, with the expansion of other colleges in the area, the student population of the San Diego region should exceed 60,000 by 1975; only one-half of whom, at the present time, are residents of the San Diego area.

The average income per family in San Diego is \$7,257 as compared with \$6,385 throughout the United States. The most significant type of industry, aerospace, in the area draws highly paid skilled workers which tends to create a highly mobile suburban population. Furthermore, approximately 80 percent of San Diego's income depends upon the Federal government by way of contracts and payrolls.

C. Voting Patterns - A Measure of Conservatism

The San Diego area has a reputation for having a "conservative population." Admittedly "conservatism" is an elusive term to define, but it may be possible to describe San Diego as more conservative than the rest of California, if the results of partisan elections are a measure of the liberal-conservative continuum. Despite the fact that a majority of registered San Diego voters are Democrats, recent elections have shown them to be "mavericks" or "scratch-ticket voters."

In 1964, San Diegans supported Proposition 14 with a greater majority than did the state population as a whole (70.4 percent compared to 65.4 percent). This was a publicly initiated amendment to the state constitution which prohibited the state from passing legislation regarding "open housing." It was strongly opposed by civil rights groups and recently the amendment was declared unconstitutional by the California Supreme Court.

In every key election since 1950, San Diego has voted "Republican" more than California as a whole. In the 1960 presidential election, for example, Republican registration in San Diego County was 41.6 percent compared with 39.3 percent in the state. The Republican presidential candidate drew 56.4 percent of the vote in the county, but only 49.4 percent in the state. In the 1962 gubernatorial election, the Republican candidate won in the city (54.1 percent) and in the county (55.8 percent), but lost in the state (46.8 percent). The Republican U.S. senatorial candidate won in the city with 60.7 percent and in the county with 61.6 percent, but won in the state with only 56.3 percent of the vote. In the 1964 presidential election, the Democratic candidate won in the state with 57.7 percent of the vote and in the City of San Diego with 51.4 percent, but lost in the county with only 49.7 percent. In the 1964 senatorial election, the Republican candidate won in the state by 50.2 percent, won in the city by 54.4 percent, and in the county by 56.5 percent. Tables 5 through 8 indicate that the two largest metropolitan areas in the state (Los Angeles County and San Francisco County) voted - in contrast to San Diego - strongly Democratic.

Table 5: VOTER REGISTRATION*

	NOVEMBER, 1960		NOVEMBER, 1962		NOVEMBER, 1964		
	S.D. County	Calif.	S.D. County	S.D. City	Calif.	S.D. County	S.D. City
Republicans	41.6	39.3	45.2	45.2	39.9	45.5	44.3
Democrats	51.2	57.5	51.1	52.3	57.0	50.9	52.1

*In percentage.

Source: Statement of Vote, California State Printing Office, Sacramento.

Table 6: U.S. PRESIDENTIAL ELECTION, NOVEMBER, 1960*

CANDIDATE	S.D. COUNTY	L.A. COUNTY	S.F. COUNTY	CALIF.
Republican	56.4	49.6	41.7	49.4
Democratic	43.3	50.4	58.3	48.9

*In percentage.

Source: Statement of Vote, California State Printing Office, Sacramento.

Table 7: CALIFORNIA GUBERNATORIAL ELECTION,
NOVEMBER, 1960*

CANDIDATE	S.D. COUNTY	S.D. CITY	CALIF.
Republican	55.8	54.1	46.8
Democratic	42.4	49.4	51.9

*In percentage.

Source: Statement of Vote, California State Printing Office, Sacramento.

Table 8: U.S. SENATE AND PRESIDENTIAL ELECTIONS;
STATE PROPOSITION 14*

	S.D. COUNTY	S.D. CITY	L.A. COUNTY	S.F. COUNTY	CALIF.
U.S. SENATE, 1962					
Republican	61.6	60.7	52.9	55.3	56.5
Democratic	38.1	39.3	47.1	44.7	43.5
U.S. SENATE, 1964					
Republican	56.5	54.4	52.8	41.5	51.5
Democratic	43.5	45.6	47.2	58.5	48.5
U.S. PRESIDENTIAL, 1964					
Republican	50.3	48.6	42.5	28.7	39.8
Democratic	49.7	51.4	57.5	71.3	57.7
PROPOSITION 14					
Yes ^a	70.4	67.7	67.4	52.9	65.4
No ^b	29.6	33.3	32.6	47.1	34.6

*In percentage.
^aA YES vote was a vote against open housing.
^bA NO vote was for open housing.

Source: Statement of Vote, California State Printing Office,
Sacramento.

D. Economics

The three leading industries in the City of San Diego, in order of dollar importance, are: 1) manufacturing; 2) military activities; and 3) tourism.

1. Manufacturing

In 1963, 58,000 people or 17.2 percent of the entire labor force held manufacturing jobs, and the majority of these were employed in aircraft and missile companies (63.7 percent in 1962). Between 1950 and 1959, 82.5 percent of all new manufacturing jobs were in the aircraft industry. Since 1957, 20.3 percent of all county jobs were in aerospace; in 1963, 10.4 percent; for 1985 the estimate drops to 5 percent. From 1959 to 1963, aircraft jobs decreased 35.3 percent, but the total number of all types of jobs rose by 8,000 - to a total of 315,000. Most of the manufacturing jobs are of a skilled or technical nature.

Manufacturing is slightly less important in San Diego than in the nation as a whole, but it accounts nonetheless for about one of every five jobs. The two largest firms in San Diego are Convair and Western Salt Company, accounting for 37.4 percent of all industrially-used land in the city. Of the 1,812 industrial firms in the city, 88.5 percent occupy less than one acre each; 98.0 percent occupy less than ten acres each. Sixty percent of the need for additional industrial land in the area until the year 2000, will be in the City of San Diego. There will probably be a need for 1500 to 1800 acres of port-oriented land which will require filling in the southern tip of the Bay.

2. Military

There are more than eleven military facilities in San Diego County, and the military payroll for the area currently approximates over \$300 million. In September, 1966, the Navy estimated that there were 250,000 people directly connected with the military establishments in San Diego - 110,000 officers and men and 140,000 military dependents. A number of retired officers and discharged enlisted men have chosen to remain residents of San Diego. The military bases require a number of civilian employees, and San Diego ranks above the national ratio for government employees.

3. Tourism

In 1966, the city averaged almost 80,000 visitors per day, who spent an estimated \$168 million annually. Tourism continues to grow with the expansion of recreational facilities for hiking, boating, swimming, and sight-seeing. The growth of population centers to the north also increases the number of people passing through San Diego on their way to Mexico. Mexican nationals are important to the economy as many come across the border to purchase American goods, since many items are either more expensive or not available in Mexico. It is estimated that Mexican visitors currently spend over \$70 million in

San Diego annually. In addition, visitors to military personnel and visiting families of college students spend considerable money annually.

4. Other

The City of San Diego has a larger percentage of its work force in service and government activities than the national average. Throughout the nation, 12 to 15 percent is employed in the service industries; in San Diego 20 percent is so employed. From 1959 to 1963, service, government and trade accounted for over 100 percent of the net increase in non-manufacturing jobs.

The Port of San Diego constitutes a potential source for employment expansion. From 1959 to 1963, the number of vessel calls increased from 430 to 780.

Nearly 5 percent (4.8 percent) of the city's white population, in 1965, was unemployed compared with 15.4 percent of the Negro population. Of the unemployed whites, many are highly trained members of the middle-class who are temporarily unemployed as government sponsored aerospace projects are completed. Negroes, however, often lack job skills required by the industries in the area. Forty thousand white and Negro families, or 15 percent of the total number of families in the county, have incomes of less than \$3,000 per year. They reside in fifty-nine census tracts - thirty-four of which are in the City of San Diego, primarily in southeast San Diego.

E. Interest Groups

Community decisions can be viewed as the product of group interaction. In order to explain how and why a political event has taken place, the key participants in the decision process and the resources to which they are linked must be identified. In any community there exist different groups which perceive particular issues to be salient to their own interests and, predictably, these groups will try to influence the community decisions. Therefore, in attempting to understand the present state of police-community relations in San Diego, it is important to identify the resources and patterns of influence of established interest groups in the city.

1. Business

In a recent study in which thirty-four persons were identified as "most influential" in San Diego, all but three were businessmen and in-

dustrialists.³ A 1961 report showed that thirty-five of the fifty-eight (over 60 percent) past councilmen were businessmen. While some were not the top business leaders, many were heads of smaller businesses. All were leaders in cultural events and fund raising related to civic, fraternal, and service organizations of the area.

2. Labor

The labor movement in San Diego is affected by the large number of white collar workers, but it is not a significantly influential agent in the community. Industry is young in the area and has not yet been organized. Since there is a large aerospace industry in the area, many of the blue collar workers are highly skilled and perhaps less susceptible to union organization.

3. Military

Of the military establishments in the area, the Navy is by far the most extensive and important. Naval influence stems from its ownership of land, its national prestige, and its large military and civilian payroll for personnel in the area. Through its control of land close to naval facilities, the military in San Diego has exerted influence over community decisions related to the locations for an airport, water plant, sewage system, and a University of California campus.

4. The press

San Diego has two major newspapers - one morning paper and one evening, both of which are owned by the same newspaper chain. A survey of the two principal daily newspapers during the summer of 1966, indicates what may be termed a "conservative" and "pro-police" orientation. News and feature articles laud various programs and actions of the police, as do "letters to the editor." No articles of significant criticism of any action of the police appeared in either of the dailies during the summer of 1966. The police in San Diego may be said, therefore, to work in an unusually freindly press environment. Semi-annually, the two newspapers host a "police appreciation" luncheon.

³ As reported in Glide Urban Center's Report of San Diego for the Board of Missions of the Methodist Church (January, 1966), page 4.

In addition to the two single-proprietor dailies, there are, of course, special interest papers and neighborhood "throw-aways." There are also two weeklies which are directed toward the Negro community. It is only in these two weeklies that an observer encounters articles and editorials which are critical of the police. It is only in these two weeklies that articles critical of the police are published. There is no locally published Mexican newspaper.

5. Minority groups

The Negro population in San Diego is small and geographically isolated, which tends to make it invisible to the white community, as compared with other large urban centers in the country. The lack of community organization and of strong and effective leadership among Negroes diminishes their political significance in San Diego. The leaders who are known tend to be ministers, businessmen, and class professionals. Middle-class Negroes admit that the leadership has not close or meaningful contacts with the "grass roots" population. A recent Report on San Diego by the Glide Urban Center comments as follows:

Some middle-class Negro and Mexican leadership is evident, but recent elections have demonstrated again the general impotency of minority groups in San Diego. Housing is a critical problem and one which the general population is either ignorant of or chooses to ignore. The Negro community has less leadership and is more discouraged than that of any major California city. Mexicans seem to be in poorer shape in every way than the Negro population.⁴

F. City of San Diego Governmental Structure

The City of San Diego has a Council-Manager form of government.

1. City Council

The City Council consists of the mayor and eight councilmen, serving staggered four-year terms. Under the City Charter, political party affiliation is prohibited in local elections. Candidates run in primaries from their own districts and the two candidates receiving the

⁴ Ibid.

most votes in their own districts stand for election by the city at large. The Council is the ultimate policy-and decision-making body of the city government. Although the City Manager has primary responsibility for administering various city departments, the Council can exert a degree of administrative control through its right to hold hearings and alter budgets.

2. Mayor

The Mayor is elected at large for a term of four years. He represents the city at ceremonial occasions and presides over Council meetings. He has no veto power in Council, but his right to appoint all members of the city commissions (Planning, Civil Service, and Funds), advisory boards, and committees gives him a degree of influence beyond that of other Council members. His salary is \$12,000 a year, as compared with \$5,000 for councilmen.

3. City Attorney

The City Attorney is elected for a four-year term as the chief legal advisor and attorney for the city. His office has both civil and criminal divisions. The Criminal Division prosecutes all misdemeanor offenses against city ordinances and state laws which occur within city limits.

4. City Manager

The Council in accordance with the City Charter, chooses the City Manager "solely on the basis of his proven administrative qualification." He serves an indefinite term and can be dismissed at any time by a majority vote of the Council. The Manager supervises the administration of municipal affairs, with certain charter exceptions; advises the Council of financial conditions and future needs of the city; and prepares and submits annual budget estimates, departmental reports, and an annual report of the city's affairs. He is responsible for planning the activities of the city government and for adjusting such activities to the available finances. He appoints and can remove all department heads under his direction. The department heads appointed by the Manager with Council approval are: Police; Fire; and Treasury. The department heads appointed solely by the Manager are: Recreation; Office of Administrative Management; Purchasing; Engineering; Public Works; Inspection; Library; Utilities; Property; and Airport.

G. County of San Diego Governmental Structure

The San Diego County government administration services the entire county except for particular functions which incorporated areas can perform separately. At the county level, the elected offices consist of the Board of Supervisors, District Attorney, Sheriff, Court Judges (Justice, Municipal, Superior), Board of Education, Tax Collector, County Clerk, Recorder, and Treasurer. These are offices required under the State Constitution.

1. Board of Supervisors

The Board of Supervisors is the chief legislative body of the county and has sole responsibility for establishing policy. Each of the five Supervisors is elected from a supervisorial district. Three of the districts lie primarily in the City of San Diego, giving the city majority representation in the administration of the county government. The Board administers the county departments and appoints their directors. The Welfare and Probation Departments' directors are among those directly under the Board of Supervisors. The jurisdiction of these departments includes the City of San Diego. The Supervisors have created a position of Chief Administrative Officer, similar to the position of City Manager, to coordinate and administer the department. He does not formulate policy. He is directly responsible to the Supervisors. The Supervisors appoint a Clerk of the Board of Supervisors whose duties are to prepare the agenda for the Supervisors' meetings and to keep minutes. The Clerk issues any orders or notices that the Board requires.

2. District Attorney

While the City Prosecutor handles misdemeanor cases, the District Attorney investigates and prosecutes in cases of felonies (major crimes) in all of San Diego County and City. He also prosecutes in cases of misdemeanors which occur in cities within the county having no City Prosecutor. He also gives advice on criminal matters to the Grand Jury. He is elected by the people of the entire county.

3. Sheriff

The Sheriff is the chief law enforcement officer of the county charged by state law to enforce the law throughout the county. Actually, city police forces perform their duties within city limits, so the Sheriff has technically concurrent jurisdiction with city police in incorporated areas. As a "practical matter" the Sheriff limits his law enforcement activities to the unincorporated portions of the county.

There are patrol and detective forces assigned to all unincorporated areas of the county. In El Cajon and Vista, there are regular Sheriff's substations with office personnel. The Sheriff is responsible for taking in and caring for prisoners in the County Jail. In addition, the Sheriff provides a bailiff for all Superior and Justice Courts and, under contract, performs law enforcement services for the cities of Del Mar, San Marcos and Vista. Since the San Diego Police Department does not have jail facilities for female prisoners, the Sheriff cares for them in the women's section of the County Jail. Also, due to over-crowded conditions, the Sheriff contracts with the San Diego Police Department for maintaining some prisoners in the City Jail at county expense.

4. Economic Opportunity Commission

The Board of Directors of the San Diego County Economic Opportunity Commission has recently been reorganized after a long struggle led by local leaders to include representatives of the poor. The poor now have one-third of the thirty-nine commission posts, as each of the thirteen Community Action Councils in the thirteen designated poverty target areas elects a delegate. Any resident of a target area is eligible to be a member of its Community Action Council.

Among the projects funded, the Congress of Racial Equality (CORE) has received \$71,000 to train thirty-five young Negroes and Mexican-Americans as neighborhood and community leaders. The Logan Heights Businessmen's Association has received \$90,000 for a "Junior Government" program. A number of other projects have been submitted for approval but have not yet been funded.

H. Court System

San Diego County, in accordance with state law, elects the judges of its courts for six-year terms. There are three levels within the county court system: Justice; Municipal; and Superior. Justice and Municipal Court judges are elected by their districts; Superior Court judges are elected by the county at large. Judges must have been trained as lawyers.

1. Municipal Court

By state law, Municipal Courts may be established in chartered cities only if the city has a population of 40,000 or more. San Diego County has three such Municipal Court districts: San Diego with eighteen departments, El Cajon with two, and North County with three. Jurisdiction of the Municipal Court includes preliminary hearings on all felony

charges. The Municipal Court also has jurisdiction over all misdemeanor cases and in those civil cases involving amounts not exceeding \$5,000.

2. Justice Court

Justice Courts, as well as Municipal Courts, are classed as inferior courts. In the areas where there is no Municipal Court, the Board of Supervisors has divided the county into Justice Court districts. San Diego County's Justice Court districts are Coronado, National City, Fallbrook, Jacumba and Ramona.

Misdemeanor cases, such as traffic matters, petty theft, drunkenness, vagrancy, etc., are handled by the Justice Courts, but these courts also have original jurisdiction in civil cases involving \$500 or less and in criminal cases with fines up to \$1,000 and/or six months imprisonment. Dealing with small claims cases is an important part of the functions of these courts, as is also true for the Municipal Courts.

3. Superior Court

The Superior Court, which is the highest court in the county, is a court of general jurisdiction. It has jurisdiction over all felony prosecutions as well as jurisdiction over civil cases involving damages exceeding those covered by the jurisdiction of Justice or Municipal Courts. It also has jurisdiction over probate and divorce cases. Under California law, the Juvenile Court is part of the Superior Court; no judge is elected to the position of "Juvenile Court Judge." In some counties, assignment as Juvenile Court judge is rotated among the various Superior Court judges. The San Diego County Superior Court has twenty departments, each with a judge elected to a six-year term.

I. Conclusion

Throughout the remainder of this study of San Diego, relevant comments will be made about the relationship of the area's social and governmental setting to the way in which the police mission is conceived and carried out. The fact that the community is fairly homogeneous has a bearing upon police-community relations. In addition, the fact that San Diego has a relatively small and quiescent ethnic minority group population is also relevant. There appears, as a consequence, to be a much higher community consensus on police matters central to this study than can be found in a number of other large urban centers.

Chapter Two:

THE SAN DIEGO POLICE DEPARTMENT -
ITS MISSION AND ITS RESOURCES

A. Introduction

The San Diego Police Department presently consists of a total complement of 937 paid personnel. Of these, 16.4 percent--or 154 are civilian or non-sworn personnel. The Department's present strength (as of July 1, 1966) represents a growth in Departmental size of 20.2 percent over the past nine years. In this period of time--either as a result of large-scale annexations of territory by the city or as a result of a general increase in population--the increase in Departmental personnel has shown the following growth trend.

Table 1: GROWTH OF SAN DIEGO POLICE DEPARTMENT - 1958-1965¹

	Sworn	Non-Sworn	Total
1958	619	115	734
1959	643	123	766
1960	653	130	783
1961	669	130	799
1962	691	130	821
1963	704	128	832
1964	718	131	849
1965	748	134	882

¹ California, Department of Justice, Bureau of Criminal Statistics, Crime in California, (published annually), Sacramento.

The Department has a present ratio of 1.1 sworn police personnel to each one thousand population.² In comparison to other large California cities (over 250,000 population), San Diego has the lowest ratio of police personnel to population served. In various ways the Department expresses its pride in its ability to serve the citizens of its City with this small number of police personnel. In fact, it was pointed out several times to various research staff members that there was only one other city in the nation which has a comparable ratio of police personnel to civilian population - San Antonio, Texas.

The relationship between increases in City population and Police Department personnel is illustrated in Table 2, below.

Table 2: CHANGE IN POPULATION AND NUMBER OF POLICE PERSONNEL
IN CITY OF SAN DIEGO, 1960-1964
(By Percent Increase From 1960)

	Change in Population*	Change in Police Personnel**
1960-1961	2.6	2.0
1960-1962	7.4	4.8
1960-1963	8.5	6.2
1960-1964	11.4	8.4

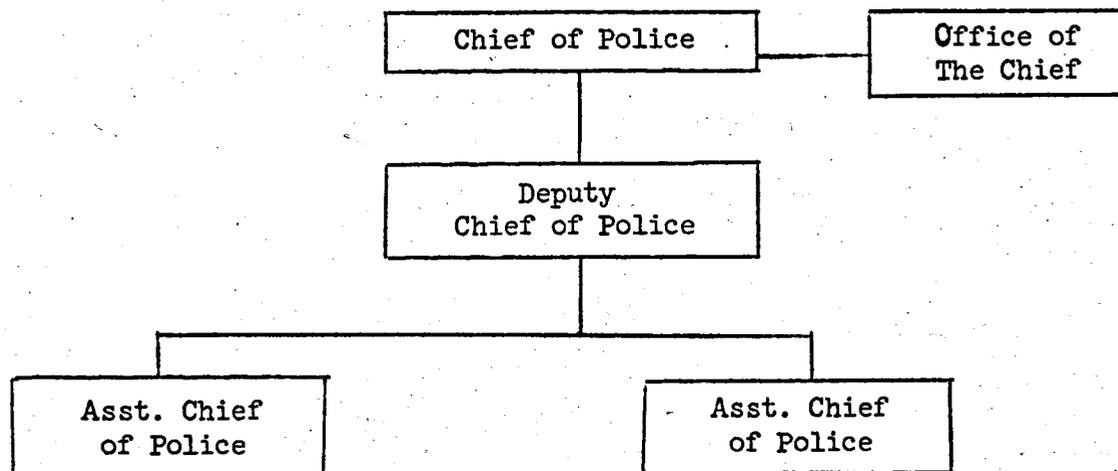
*Population: 573,244 in 1960; 638,675 in 1964.

**Police Personnel: 783 in 1960; 849 in 1964.

In spite of the fact that the Department makes use of specialized divisions, it would be fair to characterize the policies and procedures of the San Diego Police Department as being those of a "generalist" nature. In other words, the establishment of specialized divisions with particular work assignments has not diminished the professional interest of personnel throughout the Department in assisting in the performance of all police tasks. As an example, the Police Department has a specialized Traffic Division; despite this, however, patrolmen and supervisors assigned to the Patrol Division still take an active interest and role in the performance of traffic assignment tasks. Conversely, there is ample evidence to support the view that officers assigned to the Traffic Division have maintained their interest and participation in criminal investigation tasks.

² This ratio used "sworn" police personnel, not "total police personnel."

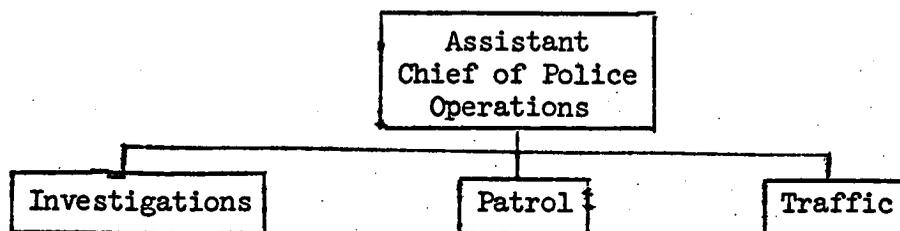
Administrative direction, command, and leadership of the Police Department resides in the Chief of Police and his immediate subordinates--a Deputy Chief of Police and two Assistant Chiefs of Police. Schematically, this command or administrative organization may be illustrated, as follows:



The function of the Deputy Chief of Police is to serve as the "alter ego" of the Chief and to perform delegated or assigned functions. In addition, he serves as the acting Chief of Police during times when the Chief is disabled or away from the City.

The two Assistant Chiefs of Police serve in command roles, each being assigned to one of the two major organizational divisions of the department: Operations and Services.

The majority of police personnel are assigned to units falling under the command of the Assistant Chief of Police in charge of Operations. Nearly 78 percent of Departmental personnel (735) are assigned to this unit. Within this unit are the Investigations, Patrol, and Traffic Divisions. Traditionally, these are the operating units which have "primary" responsibility for meeting and dealing with the public in the accomplishment of the police mission. Schematically, the organization of Operations may be illustrated as follows:

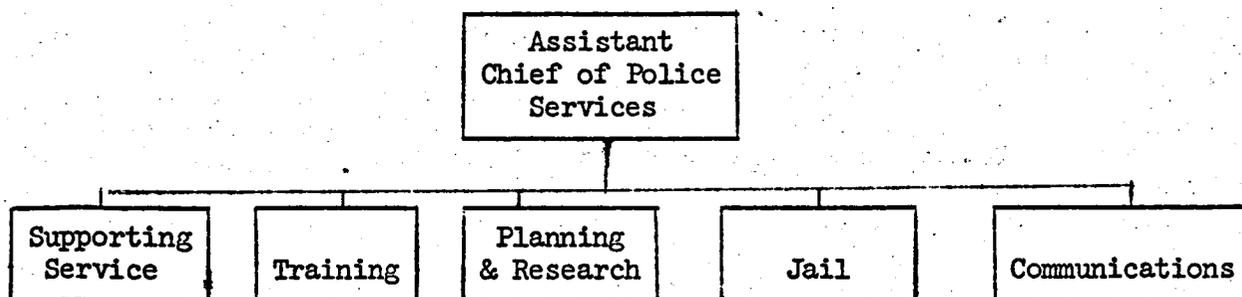


All three of the Divisions in Operations are commanded by Inspectors of Police. Subordinate units, the number of personnel assigned, and the rank of the commanding officers of the units are as follows:

Table 3: UNITS OF OPERATIONS
SAN DIEGO POLICE DEPARTMENT
JULY 1, 1966

Division (Unit)	No. of Personnel	Rank of C. O.
Investigations.....	152	Inspector
Detectives	(77)	Captain
Juvenile	(41)	Captain
Licensing	(2)	Patrolman
Narcotics	(10)	Lieutenant
Vice	(19)	Lieutenant
Intelligence	(2)	Sergeant
Patrol.....	419	Inspector
Central		Captain
Northern		Captain
Southern		Captain
Traffic.....	164	Inspector
Accident Investigation & Enforcement		Captain
Traffic Services		Lieutenant

The other major organizational unit in the Department is called Services. Commanded by an Assistant Chief of Police, this major organizational unit is composed of personnel responsible for the accomplishment of auxiliary and administrative staff services. Schematically, the organization of Services can be illustrated as follows:



Responsibilities for commanding Divisions within Services vary according to the unit of assignment. Subordinate units in Services, the number of personnel assigned, and the rank of the commanding officer are as follows:

Table 4: UNITS OF SERVICES,
SAN DIEGO POLICE DEPARTMENT, 1966

Division (Unit)	No. of Personnel (Sworn)		Rank of C. O.
Supporting Services.....	102		Inspector
Community Liaison		(5)	Lieutenant
Records		(40)	Lieutenant
Other Units		(57)	
Property & Supplies			
Building & Grounds			
Vehicle Maintenance			
Laboratory			
Animal Regulation			
Medical Services			
Training.....	7		Captain
Planning & Research.....	3		Sergeant
Jail.....	34		Captain
Communications.....	45		Captain

Within the Supporting Services Division, the Community Liaison (community relations) Unit is of direct concern to the present study. The history, role, and functioning of this unit will be examined in detail in Chapter 3, *infra*. At this point, however, some general comments about the Community Liaison Unit can appropriately be made.

Even official organization charts of the Police Department³ are unclear as to the actual organizational placement of the Unit. One chart gives the Unit an implied Divisional status and shows the Lieutenant-in-charge reporting directly to the Assistant Chief of Police in command of Services. Another chart in the same publication places the Community Liaison Unit in the Supporting Services Division and shows the Lieutenant reporting to the Inspector who commands Supporting Services.

Despite this confusion in Departmental publications, it is agreed by personnel concerned that the Unit is part of Supporting Services, and that routinely the chain of command flows from the Lieutenant-in-charge, to the Inspector, to the Assistant Chief of Police, and finally to the Chief of Police. As a practical matter, however, the Lieutenant who commands the Community Liaison Unit reports directly to the Chief of Police. Uniformly, information collected from observations and interviews demonstrated the direct and close relationship between the Lieutenant and the Chief of Police. As a practical matter, except in routine cases, Community Liaison appears to be placed under the Supporting Services Division only for budgetary and other "housekeeping" purposes.

From a community relations point of view, there is some question about where in the police organization the Police-Community Relations Unit can most appropriately be placed. Despite the confusion which appears on official organization charts, it may well be that the most appropriate arrangement is precisely that which appears to have been informally worked out between the Chief of Police and the Lieutenant-in-Charge of the San Diego Community Liaison Unit, i.e., for all practical purposes to place it directly under the Chief of Police. Placement in the Supporting Services Division would seem to violate the organizational principle which advocates the "grouping of related and homogenous assignments." Police-community relations would seem to have little or nothing in common with the rest of the units assigned to the Inspector-in-charge of the Supporting Services Division. In fact, placement of community relations responsibilities in that Division would seem to automatically down-grade the organizational importance of police-community relations. Doing so places the achievement of effective and meaningful community relations on a par with such responsibilities as Vehicle Maintenance, Animal Regulation, Building and Grounds, etc. Such placement certainly implies that police-community relations is less important, from an organizational point of view, than Patrol, Investigations, Traffic, Jail, etc. (See further comments on this point and its practical implications in Chapter 3, infra.)

³ City of San Diego, Police Department, Organization Charts, approved July 1, 1966.

Discussion of police resources would be incomplete without mentioning the other police agencies which operate within the San Diego metropolitan area. Just as crime and delinquency are phenomena which are regional or area-wide in scope, so is the matter of police-community relations. The citizen is often unable, or unwilling, to distinguish between the police personnel of various departments; in his frame of reference, "a policeman" is a policeman. It is perhaps too much to expect the citizen to make the distinctions necessary because of the vagaries of "legal jurisdiction". Consequently, the citizen may be practically unimpressed that the "policeman" he encounters within a limited geographical area is actually governed by different recruitment and enforcement policies and practices of other police agencies in the San Diego region.⁴

The local police resources of the San Diego Standard Metropolitan Statistical Area are distributed among eleven police agencies. These agencies and the number of police personnel employed by each in 1964 were as follows:

Table 5: POLICE PERSONNEL, SAN DIEGO STANDARD METROPOLITAN STATISTICAL AREA⁵

Office	Total	Sworn	Civilian	Auxiliary or Reserve
1. Sheriff's Office	413	326	87	462
2. Carlsbad	20	14	6	6
3. Coronado	22	22	0	12
4. Chula Vista	75	62	13	58
5. El Cajon	56	44	12	41
6. Escondido	37	34	3	37
7. Imperial Beach	18	13	5	44
8. La Mesa	37	34	3	0
9. National City	54	45	9	23
10. Oceanside	55	48	7	18
11. San Diego	882	748	134	200
Total	1669	1390	279	701

⁴ In fact, this is one of the structural defects of the police "system" which will be dealt with in greater detail in Chapter 8, Infra.

⁵ California, Department of Justice, Bureau of Criminal Statistics, Crime in California, 1965, Sacramento. The term, Standard Metropolitan Statistical

Each of these local police agencies, serving within the limited area of San Diego County, has its own enforcement policies and procedures, and its own concept of what constitutes police-community relations problems. Each, in turn, has its own "program" of engaging and dealing with these problems. Viewed as an area-wide problem, therefore, the existence of a multitude of local police agencies dissipates the ability of any one agency to deal effectively with community relations problems. Therefore, the absence of a single, uniform, and consistent law enforcement policy within the San Diego metropolitan area represents one of the recurring police-community relations problems.

In addition to the local police agencies enumerated above, there are also state and federal policing agencies which have major functional responsibilities within the San Diego metropolitan area. These, too, can affect the total police-community relations problem.⁶ In fact, some informants directed their criticism of the "police" exclusively at certain state or federal agencies. Other informants, while critical of the San Diego Police Department, were even more vocal and direct in their criticism of other agencies. The point of the matter is that the term "police" is often generic in the public mind and the actual or imagined misdeeds or inappropriate procedures of one policing agency will "spill-over" and cause problems for the police, in general.

Area, is officially agreed upon by the U. S. Bureau of the Census as a demographic and governmental tool for social and economic analysis of population data.

⁶ It was a drunk-driving arrest effected by the California Highway Patrol which triggered the Watts riot. In the public mind throughout the nation it is fair to assume that "Watts" was a problem involving the "Los Angeles Police." Actually, of course, the riot in Los Angeles involved many different police agencies. In order to bring the riot under control, it was necessary for at least three agencies to make major manpower allocations to the riot area: i.e., Los Angeles Police Department; Los Angeles Sheriff's Department; and California Highway Patrol. The Sheriff's Department was the only agency to suffer a fatality among its personnel.

Even the combined resources of these three agencies were incapable of bring the riot under control, thereby necessitating the assignment of military units.

As a consequence, the policies or procedures of the U.S. Immigration and Border Patrol or of the California Highway Patrol do have a practical effect upon the state of police-community relations in San Diego.

B. Police Mission

Since its inception in England in 1829, the Anglo-American system of civilian policing has addressed itself to a variety of explicit and implicit functions. In the United Kingdom, from 1829 to the present time, civilian policing has had two primary functions: the preservation of the Queen's peace and the prevention of crime. All other functions have been considered to be ancillary or subordinate to these primary functions. From a historical and theoretical point of view, civilian policing in the United States has been affected by earlier or concurrent British policing philosophies and practices. Realistically, however, it would appear that the relationship between the two systems has been more fanciful than real, more theoretical than actual. In the development of American policing practices both the peace-keeping and crime prevention functions have taken different directions from those in Britain. Both have been given only passing or fleeting attention except in an euphemistic sense.

Surveying the literature and commentaries⁷ on police administration, one finds a series of functions, or purposes, outlined for the police. It is interesting to note the consistency with which these various functions are identified as being "proper" areas for police attention. The list of police functions may be outlined as follows:

⁷ See, for example:

Michael Banton, The Policeman in the Community, Tavistock Publications, London, 1964, pp. 127, 168, 264ff.

John D. Holstrom, "Police Administration;" Granham-Kutash, Enc. of Criminology, Philosophica Library, New York, 1949, p. 319.

Cecil C. H. Moriarty, Police Procedure and Administration (5th ed.), Butterworth and Co. , London, 1950, p. 191.

Charles Reith, A New Study of Police History, Oliver and Boyd, Edinburgh, 1956, pp. 287f.

Charles Reith, British Police and the Democratic Ideal, Oxford University Press, London, 1943, pp. 3f.

Bruce Smith, Police Systems in the U.S. (2nd rev. ed.), Harper, New York,

1. Prevention of crime
2. Maintenance of the peace (domestic tranquility)
3. Protection of the security of persons and property
4. Enforcement of laws
5. Provision of miscellaneous public services
6. Apprehension of offenders
7. Regulation of non-criminal conduct
8. Preparation of cases for prosecution
9. Detection of crime
10. Recovery of lost and stolen property
11. Regulation of traffic
12. Protection and support of individual rights
13. Repression of crime

Reference to these commentaries reveals that those which are written about the British police system cite the prevention of crime and the maintenance of the peace as being the two most important functions of the civilian police. On the other hand, the commentaries of American police practice cite the protection of security and the enforcement of law as being the two primary functions of the police. It seems clear, then, that civilian police practice in the United States tends to emphasize the law enforcement function more than the peace-keeping function. This distinction is more than a semantic distinction or a play on words. If, in fact, these functions have a practical significance as far as structuring the role and orientation of personnel who perform the functions, there is a concomitant effect upon how the police mission is carried out. It is for this reason that our research design included methods of "getting at" the policeman's conception of his mission and his overall social function.

1960, pp. 15ff.

Paul Tappan, Crime, Justice, and Correction, McGraw Hill, Series in Sociology, 1960, p. 280.

August Vollmer, The Criminal, Foundation Press, Brooklyn, 1949, p. 352.

August Vollmer, The Police, Penguin Books, Middlesex, England, 1964, pp. 18f.

August Vollmer, The Police and Modern Society, University of California Press, Berkeley, 1936, p. 1ff and p. 235.

Ben Whitaker, The Police, Penguin Books, Middlesex, England, 1964, p.18f.

O. W. Wilson, Police Administration, (2nd ed.) McGraw Hill, 1963, p. 22.

From both a historical and theoretical point, it is interesting to point out that all "police" officers in California perform under the legal title of peace officer. Section 817 of the California Penal Code defines a "peace officer" and codifies the various groups of functionaries who are considered to fall within the category. The section does not, however, define the specific duties of the office. Section 2660 of the California Government Code lists the first duty of the Sheriffs of the counties to be to "preserve the peace." Furthermore, the official corporate title of the statewide professional organization of policemen is the "Peace Officers Association of California." For practical purposes, however, it seems fair to say that the term "peace" has become an actual euphemism in police circles. The Code of Ethics⁸ adopted several years ago by the Peace Officers Association is entitled the "Law Enforcement Code of Ethics." Curiously, this Code makes only casual mention of the historical police function, i.e., the preservation of the peace.

Questions of both practical and theoretical import, therefore, can be asked regarding the ways in which the peace-keeping function of the police has been refashioned and changed. It may be that an understanding of the bureaucratic dynamics of the police service, a social function which has actually had little study, would help to explain the ways in which the "system" has gone about defining its own functions. The point of the matter is that it is instructive to begin a consideration of the "mission" of a San Diego policeman with some understanding of the way in which his mission has been conceived in a theoretical and social framework. The fact is that policemen in San Diego and in every other city, work within a social system which has already been largely defined by custom and practice before he ever entered it. The policeman has to become an obedient "member" of the system; if he does not, he loses his membership.

Role concept and the policies and procedures established by the Department have more than an incidental effect upon the way in which the policeman goes about his job. The "overcoming of resistance" is a case in point. Generally law defines in broad terms the degree of force which may be used by a policeman in carrying out his duties. However, departmental regulations, policies, procedures, and traditions define the specific types of force which may be used in typical situations. In California, for example, a police officer may commit a homicide if it is necessary to capture a suspected felon who is fleeing from arrest. Section 196 of the Penal Code states, among other things, that homicide is justifiable when it is:

...necessarily committed in arresting persons charged with felony, and who are fleeing from justice or resisting such arrest.⁹

⁸ Law Enforcement Code of Ethics, see frontispiece of this section.

⁹ Enacted, 1872.

This statute gives to the California policeman a broad and potentially dangerous grant of power. The situation in his own department, however, along with the customs of his particular locale will determine the conditions under which he will use this authority and discretion. If the policeman has customarily been expected in his department to use this grant of power to capture any suspected felon, the consequences may become tragic, both for the public, the department, and the officer. If the department has taken no action to restrict the exercise of this authority, then the department properly bears the burden of responsibility for the unfortunate effects of its policies. The obedient policeman performs, to the best of his own ability, up to the expectations which are set for him. If the department has not taken measures to restrict the officer's use of force, it, rather than the officer, may be to blame.

1. San Diego's Mission

It seems clear from data collected in this research that a large majority of policemen in San Diego would deliberately refer to themselves either as "law enforcement officers" or as "police officers," rather than as "peace officers." This is the title of the job as it has been given to them and this is the orientation which has been created for them. With very few exceptions the personnel of the Department see their function as the enforcement of laws as they have been defined by community acceptance and usage. They see that they have a parallel duty to seek out those persons who have violated the security and the laws of society. It is fair to say that all other duties are construed to be ancillary and subordinate to these two functions.

As a consequence, the personnel of this Department see their functional difficulties as coming primarily from two large groups of persons: those who violate the laws and those persons who do not understand the "proper" role of the police and are, therefore, neutral or even unsympathetic to that function. The policeman "knows" that society is always confronted by a small number of persons who will violate its laws and create difficulties for the general population in a variety of ways. This, in his view, is the reason for the creation of policing agencies. The view can be further extended in the following way: given the number of law violators or "bad" people which exist in any society, it is necessary to have law enforcement accepted by the larger society; if opportunities are created for police officers to "sell" the public on the importance of law enforcement, the general society will accept the importance and will cooperate with law enforcing agencies; and, the higher the level of cooperation by the public, the higher will be the efficiency of police agencies and, therefore, the job of the policeman will be made easier.

It is reasonable to say that the public relations programs of the San Diego Police Department have been developed precisely to improve the ability of the police to perform "their" functions. These programs--many of them noteworthy--have been developed not so much to service the public as to service the policemen by improving the level of public cooperation and understanding of the police.

This view of the "job" permeates all levels of personnel in the San Diego Police Department, and it may, in fact, be part of the "life style" of policemen, generally. For the purpose of this study, it is important to understand that this is the concept of the police function which dominates the Department. It is important because the concept has consequences for the relationships which the Department has with its clientele: with the general public, with ethnic minority groups, with the driving public, and with the youth of the region. It is important because not only does it characterize the view the policeman has of his own job, but also his view of the world. It is important because it is of consequence to his own career development, because the policeman is rewarded for performing "properly" within this role concept, and because he is career-penalized if he does not perform adequately within this role.

The point is that the San Diego Police Department is an agency which prides itself on its "enforcement" record. Members of the Department--regardless of rank--pride themselves on the Department's "efficiency in enforcement." Members of the Department pridefully refer to themselves as "law enforcement" officers, whose highest virtue is that of "impartial enforcement" of the law. One of the greatest hazards which can be envisioned by members of the Department is a "breakdown of law enforcement." Finally, effective "law enforcement" is seen as the principal means of dealing with most of the Department's problems.

Even crime prevention is seen by the San Diego Police Department as being the direct result of "law enforcement," and it is in this sense in which the term "crime prevention" is used by members of the Department. One officer's remarks typify the reliance which the Department places upon a show of force and strong law enforcement as a deterrence to crime and disorder.

...I still feel basically in most situations... that a show of force will tend to eliminate any. Force--now I'm talking about just numerical strength.... We've stood out there by the War Memorial (Auditorium), and the people have come out, and you can notice the change in attitude when they see the police out there. I think they realize that we're out there and are not going to put up with any monkey business, and the crowd normally disperses.

The above quotation was cited as a "typical" attitude found in the Department. The theme has many variations, some of which will be outlined in this chapter and others which will be referred to elsewhere in this study.

"Normal" people obey the law, and this group of persons rarely and only incidentally causes difficulty for the police. The police, therefore, primarily are confronted either with the "lawlessness" of abnormal people or the misbehavior of "young adults." Both of these groups, according to the dominant attitude of the Department, must feel the presence of police supervision if they are to live civilly with the rest of society. Consequently, it is characteristic of the Department to believe that police supervision must be exercised over activities involving these persons. "Lack of supervision," in this view, means "police trouble." This is particularly true in the case of adolescents and young adults and is apparently the dominant theme behind much of the activity of the Juvenile Division; i.e., observation of places where juveniles congregate and the gathering of intelligence information about the activities at these places.

The theme of "normality" and "abnormality" also explains much of the Department's attitude toward its relationship with the public. Members of the Department are quick to assert that the "great bulk" of the public is law-abiding and peaceful. This majority section of the public, therefore, has few dealings with the police and gives its support to the police when they are informed of police problems and police response to these problems. The point of view is illustrated by the statement of a supervisory officer in the Department.

. . . I think the citizens of a certain community, like the citizens of San Diego, should be in back, as a whole, 90 percent of them should be in back of the Police Department and the policies for which the Police Department stands. And with the backing of these people, then we will get the proper response from the children and from the young adults that are giving us trouble. Take for instance, since we've had the backing of the Volunteer Parents¹⁰ in the Logan Heights area, it solved half of our problems. We were having problems at one school--the Volunteer Parents went out, this is a Negro community out there, the parents went out, with banners that said "Volunteer Parents" and they handled their own problem, The police were not involved; they had no problem whatsoever, and it was solved. This is what I mean by the backing of the parents and the citizenry.

¹⁰ Volunteer Parents is an indigenous organization which consists of Negro and Mexican-American adults who seek to maintain the peace of minority group communities. This organization and its relationship to the Police Department will be discussed in subsequent parts of this report.

"Winning" the public over to the side of the police is seen as especially important during the time of mass disorder and riot.

...to stop the rioting we have to get the public on the police side. If the public does not think the way we do and want the things that we do, then we're not going to have their cooperation and, if we don't have their cooperation, we're going to have trouble.

Although it is candidly recognized by San Diego officers that individual policemen or departments may be in error in some of their procedures, these problems are not thought to exist in California in any measureable degree. The Watts riot is a classic example.

...it's certainly not the conduct of the policemen in Watts or any other area--it is the attitude of the Negro population... that is the cancer in the situation.

Therefore, in large measure, it is the public attitude which complicates the law enforcement mission.

Accordingly, it is also a segment of the public attitude which "chooses up sides" and casts the policemen in an unfavorable light.

... Who puts the police on the other side of the fence? It certainly wasn't his choosing when he went up to a group of 500 screaming youths, regardless of their race, it wasn't he that took the stand on the other side of the fence, it was the group that put him there. So I read this same trash and tripe that you do in the newspapers--and I'm not so naive as to say that in some sections of the country there aren't mean, brutal, uneducated and uncouth policemen...but... and I can only speak from this particular city--it does not exist here, and I hate to be crucified and reprimanded and have all this thrown at us constantly...

Nevertheless, the "we"- "them" dichotomy is a typical attitude of policemen. Within the Police Department jokes about the public are continually being told. Common locker-room banter at the beginning of each work shift includes such comments as "Let's face the enemy!" or "Bring on the enemy!" The "enemy" the policeman refers to is the public.

The San Diego policeman resents the accusations which are, in his opinion, unfairly charged to him. He also resents being blamed for social problems which are not his responsibility. He sees his function as being primarily that of law enforcement and rendering other public services to the public. He resents, therefore, attempts to make him into something he does not believe he is, i.e., an agent of social change. One policeman gave a classic response

when he was asked to evaluate the potential value of a "community relations" program. He stated that community relations was fine, as long as it did not change the police function. He explained that although "...there were many ways in which to do the 'job', you can't change the job being done; if you do, ...you're interfering with the structure of the Police Department...."

2. The Ethos of Efficiency and Impartiality

In the performance of its basic mission, the San Diego Police Department prides itself, above all else, upon being, at the same time, efficient, honest, and impartial. These three characteristics are viewed as virtues, and the members of the Department apparently feel that they reap public support because of them. Administrative officers explain that the city and the Department both expect to get "a dollar's worth of work for every dollar spent on personnel wages." Consequently, administrators are proud of the fact that the level of performance in the Department is high. Time after time, members of the research staff were told that officers in the Department are expected to use their time productively, and the officers, themselves, are expected to be productive.

In order to evaluate "productivity," it is essential to fashion certain work measurements. Unfortunately, some of the very tasks which are easiest to measure are also the very tasks which create the greatest friction and irritation in certain portions of the community. Nevertheless, the Department has fashioned certain performance indices upon which officers are graded. As a result, the Department is proud of the overall performance of its personnel, and in talking about the Department, reference is constantly made to the crime rate, the clearance index, the traffic enforcement index, the number of field interrogations, and the low ratio of personnel to population. Members of the research staff were also impressed by the "numbers" which were cited in judging the overall Department; they agreed that these figures could be used to evaluate efficiency, but they also felt other measurements would be needed to evaluate effectiveness.¹¹ (The implications of this distinction will be discussed later.)

Data did not reveal the extent to which this concentration upon police efficiency was internally or externally imposed, i.e., whether its principal direction came from police administrators or from city administrators. The impression is quite clear, however, that the entire city government, headed by a professional administrator in the position of City Manager, is cost conscious.

¹¹ Efficiency has to do with the relationship between input (resources) and output (performance). Effectiveness has to do with the relationship between the job to be done (the urban police mission) and performance.

Furthermore, the political and economic orientation of the community makes a virtue of thrift.¹² Consequently, pressure for cost effectiveness has doubtlessly come from the City Council and the City Manager. The Police Department does have its budget reviewed by the Manager and the Council, and it has had its original budget request reduced.¹³ Therefore, the Department has unavoidably been forced to examine its procedures and to find ways in which to improve the overall cost effectiveness. It appears, therefore, that pressure for efficiency has come from both inside and outside the Department. The important factor, however, is that the Department is constantly evaluating its performance in terms of its own efficiency indices.

Another virtue which the Department values is honesty. Except in one case, there is no intimation of dishonesty in the Department, on either a petty or other scale. Sources of information throughout the study constantly verified that the Department was "clean," that there was no intimation of graft, corruption, petty chiseling, or other misbehavior in the Department. The honesty of the Department, therefore, may be one of the reasons why the Department enjoys the public support that it does. As a part of each recruit training course, lectures are given on the topic of "Police Ethics and Professionalism." The Department has endorsed the Law Enforcement Code of Ethics and framed copies of the document hang in many offices in Police Headquarters. During the time devoted to "Ethics" in recruit classes, the implications of the Code of Ethics are dealt with, primary attention being devoted to the effects of "unethical" conduct upon public support.

...It is obvious that we cannot succeed unless we are enthusiastically supported by the public we serve. Nothing destroys public confidence faster than unethical acts by police officers. Because the citizen has hired us to regulate the conduct of his own actions, it is apparent that law enforcement is more dependent upon public support than any single branch of government or any other profession.¹⁴

¹² This does not mean, however, that the city is parsimonious. Public investment in recreational centers such as Balboa Park is truly outstanding.

¹³ See, for example, the denial--for two consecutive years--of the Department's request for personnel and support to establish an Internal Affairs Unit to process complaints against police personnel, Chapter 8, infra.

¹⁴ Italics added. Whether the citizen has hired the police "to regulate his own conduct" is problematical. It may well be that this attitude on the part of the police is part of the police-community relations problem. To make this responsibility a part of the police function may give an incorrect and unfortunate orientation to the police mission.

High ethics, high morals, greater efficiency, good public relations, satisfied public, adequate pay and equipment, and high-caliber personnel are seen to form a cycle which creates the proper environment for law enforcement. In the training session on "Ethics," actual cases of police misconduct are explored. Two cases outlined in the Training Manual deal with officers involved in a rape and in a theft. In the same material, a list of thirteen types of unethical conduct is presented. This list contains the following items:

1. Dishonesty
2. Brutality
3. Racial prejudice
4. Gratuities and chiseling
5. Conversion of prisoner's property
6. False or colored testimony
7. Violation of law and regulations
8. Violation of civil rights
9. Discourteous conduct
10. Deliberate inefficiency
11. Failure to improve
12. Divulging confidential information
13. Violation of privileged communication

Finally, attention is devoted to the organizational and public necessity for eliminating unethical persons from the law enforcement ranks.

The third virtue upon which the Department prides itself is impartiality. Members of the Department react vigorously to accusations of unfairness, prejudice, favoritism, etc. Implicit in much that the Code of Ethics says is the fact that ideally the law enforcement officer performs his duty in an objective manner. In Chapter 4 of this section, the charges of discrimination and prejudice are discussed. This is certainly a major point of contention between the Department and the minority community. What is of concern here is the fact that the Department ascribes to a policy of "absolute" impartiality in the performance of its mission. Data accumulated during the study verifies the point that the Department is proud of the vigor and energy it manifests in the performance of its mission, and it is also certain that it does so in an impartial manner. In both its public pronouncements and the private expressions of members of the Department, it emphasizes the essential importance of impartiality. It also emphasizes that the Department's entire enforcement program is cushioned by a spirit of "reasonableness."

The only evidence obtained that the Department also "cushions" its policy of impartiality was found in its traffic enforcement program. In one of its policy statements, the Department analyzes--for internal purposes only--the application of "tolerance" in traffic matters. Under a section entitled, "Specific Application of Tolerance," the Department has fashioned the following policy.

...To other law enforcement officers and others who because of their work or the urgency of the circumstances at hand, take some liberties. Don't write tickets to law enforcement officers or quasi-law enforcement officers on duty. Don't write tickets to law enforcement officers who are off duty. If the violation is not hazardous and the driver realizes he made an error, take no action. If the violation was aggravated, extremely hazardous or the attitude of the driver being stopped is poor, write a report to your commanding officer, describing the circumstances, but do not write a ticket. The writing of tickets under these circumstances starts minor feuds and bitterness between divisions and departments and serves no real objective or benefit. The writing of a report starts action through the proper channels so that the driver's attitude and actions are corrected by those more able to do so - the bosses. In any case, where there is any doubt regarding the writing of a ticket because of a man's job or because of his close relationship to someone in this Department, we recommend that you don't write the ticket but write the report instead. If action is desirable, it will be started by your superior officers.

This concept is not startling; it seems reasonable to assume that a similar policy exists--in one form or another--in most of the local police agencies in the nation. The only startling thing is the honesty of the San Diego Police Department in putting this policy in written form for the members of the Department.

The implication of the policy is quite clear. It is an aspect of a modus vivendi which the Department has worked out with other policing agencies; it is the product of "getting along" in a world which is otherwise composed of "outside" influences. It is the result of the tendency for police agencies to turn "inward" for support. This has been traditional throughout the American policing system and it is a practice which is found in "progressive" departments, as well as in "old-line" departments. The point is that despite the sincerity with which a policy of impartiality is stated, it is obvious that San Diego has not achieved the "absolute" impartiality it says it has. Rather, a choice has been made between strict enforcement and the necessity to be accommodative to fellow officers and to certain members of the community. It may be that the consequence of strict enforcement is harder to endure than the consequence of accommodation. Hence, the tolerance which is granted to fellow officers and to others ensues.

3. The Traffic Mission

Traffic regulation and enforcement have been singled out for special consideration because of the role which they have come to assume in the urban police mission. In common with most other urban policing agencies, the San Diego Police Department has a specialized traffic enforcement unit. The Department has developed a reputation for strict enforcement in traffic matters and the Department is proud of this reputation. Furthermore, while other cities in California were attempting to divest themselves of the duty to patrol freeways in the incorporated areas, San Diego--along with Los Angeles--lobbied in Sacramento to retain its jurisdiction on the freeways. As a consequence, these two cities are the only ones in California which have retained police traffic jurisdiction on the freeways; in all other cities, the California Highway Patrol has primary jurisdiction.¹⁵ San Diego uses 145 of its patrolmen for freeway patrol. Despite the Department's general excellence in record keeping and in data collection necessary for the study of cost effectiveness, research staff personnel were unable to obtain data about the expenditures for freeway patrol and the revenue which the city obtained. The fact that such data was "not available" was more important for our purposes than the data itself.

When police personnel were asked what were the objections to the California Highway Patrol having jurisdiction over the freeways, the universal response was that the Patrol could not--or would not--handle the mission as effectively as did the Police Department. The responses given, by personnel in various ranks, are indicative of the concept which the respondents--and therefore, the Department--have of the urban police mission. One supervisor stated: "A good policeman, everytime he makes a contact, he's looking for something else." Another supervisor stated, "The California Highway Patrol officers, he writes a ticket he's through, and that's all he's looking for; he's not a trained police officer." The comment of a commanding officer is even more revealing. He stated:

...I think that most of us prefer to view the municipal policeman as a generalist, whereas the California Highway Patrolman is a specialist; he's concerned primarily with traffic enforcement and investigation of accidents, whereas we are concerned with many other things...

¹⁵ "In any city having either a population in excess of 2,000,000 [Los Angeles] or an area of more than 300 square miles [San Diego], city police officers shall have full responsibility and primary jurisdiction for administration and enforcement of such laws and ordinances unless the city council shall by resolution request administration and enforcement of such laws by the Commissioner (of the Highway Patrol)" Amendment to Vehicle Code, Sec.2400. Statutes and Amendments to the Codes, 1965, Chapter 1451, p. 3399.

It seems quite clear, therefore, that interest in traffic matters stems largely from the fact that "traffic" is considered to be an excellent "entre" into other law enforcement responsibilities. Time after time, research staff personnel were told that many of the "best cases" in San Diego had been "made" from situations which were initiated by the officer over some relatively minor traffic violation. In other words, the traffic "stop" itself is not as important as the "fruits" of that stop. In large part, therefore, traffic regulation and enforcement is really seen as an adjunct of criminal investigation. Officers "inspect" every vehicle stopped for evidence of weapons, narcotics, or other contraband. This suggests the hypothesis that every person stopped in this environment is automatically a suspected criminal.

The implications of this for community relations is quite clear. In San Diego--and in all other American cities--the principal point of contact between the police and the citizen is going to come about because of some suspected or actual traffic violation. Each of these--certainly the ones which result in the issuance of a citation--is likely to result in negative police-public contact. Each year, the San Diego Police Department issues more than 200,000 citations for "moving" violations. The Department regularly issues more than four citations for every warning it issues. Consequently, the Department is generating considerable negative feeling on the part of the public as a result of its own energetic performance of duty. (In Chapter 4 of this section, the attitude of the public toward the Department's traffic enforcement policies will be discussed in detail.) At this point, it is enough to say that this is the only area of Department activity which is uniformly criticized: by the general community, by ethnic minority group persons, and by youth.

C. The Public View of the Police Mission

The police view of their mission was not developed in a vacuum. Instead, the police view is the product of many interacting forces, some of them internal and some external to the police organization. The police explain their policies by saying that in the final analysis they are dependent upon public support. To understand the San Diego Police Department, therefore, it is necessary to gain some insight into the public view of the police mission.

To a large extent, the San Diego Police Department enjoys enviable public support. To the same extent, there seems to be little meaningful difference between the police view and the general public view of the urban police mission. The only exception to this (See Chapter 4) is the difference in attitude toward traffic enforcement. It seems clear, however, that in almost every other matter, the public and the police agree upon mission. The public is conscious, for example, of the fact that there has been in recent years an increase in the "perils" of urban living. Consequently, the public tends to look upon the protection of the security of the city as being one of the most important, if not the most important, municipal function. Our data

is clear that the public wants the security maintained, and increased. Also, as far as the public is concerned, the way to maintain that security is to have superior enforcement of the law and apprehension of those parties who violate the law or security of the city. This attitude on the part of the public explains, at least in part, why there was such a broadly-based support among the Anglo community for the police action at the "post-Watts incident" in Logan Heights. This attitude also explains in large part the approval which the public gives to the Police Department's policy of preventive patrol.

It seems clear, therefore, from the data accumulated in this study that the general public is primarily concerned with protecting its security and will approve any "reasonable" methods which the police employ to bring about that protection. It is also evident that the public has limited information about its Police Department or any other aspect of city government. Consequently, a good deal of the public support is emotional rather than the product of knowledge, individual involvement and concern, or independent judgement. Like so many other things, the public becomes concerned only when it becomes readily apparent that deficiencies exist. In the case of the Police Department, the public becomes concerned only when the police become generally abusive or zealous, or when publicity makes other deficiencies in operations clearly visible. If one were to construct a continuum with "helping function" at one end and "punitive function" at the other, data are clear about how the general public would rank the overall performance of the San Diego Police Department. With the exception of the traffic function, it seems clear that the general public would rate the Department well along the "helping" side of the continuum.

The police mission involves, however, more than the "general public." So does the matter of police-community relations. The "public" actually consists of congeries of "publics" organized in different fashions according to a multitude of geographic, economic, ethnic, racial, political, and social interests. Conflicts or poor relationships between the police and any one of these interest groups, publics, or "sub-cultures" can dilute the effectiveness of the police in dealing with and serving the general public. The police may very well be considered by the general public to be efficient and helpful while at the same time they may be considered to be punitive and harassing by numerically smaller groups. Police-community relations consists of more than simply the accumulation of votes for or against the police. Hostility, conflict, and riot have broken out in various urban areas throughout the nation despite the fact that the police in some of these areas enjoyed widespread support from the general public.

In San Diego, there are "publics" which would not rank the Police Department on the "helping" side of the continuum. These persons would criticize the Police Department precisely because, in their view, it is not helpful. They would rank the Department as serving primarily a "punitive" function, and it is because of this that they are critical of the Department. These views are found primarily in formally organized social service and social

justice organizations and in the two principal minority groups in San Diego.

In Chapter 4, the point is made that even the most extreme critic of the police is not interested in doing away with the police function. The importance of the police function is universally recognized. Rather than displacing the function, these people believe that the police should be less punitive and more helpful than they presently are. These persons do not accept the majority view that the primary mission of the police is law enforcement. Rather, these persons believe strongly that the police should be more meaningfully oriented toward the preservation of the peace and the prevention of crime. Furthermore, they feel the police should make rather dramatic changes in their present procedures in order to insure that police-citizen contacts will be more positively oriented than they presently are. They do not overlook either the necessity of law enforcement or of apprehension; but they do feel that these tasks should not be given the importance they are presently given by the San Diego Police Department.

Chapter Three:

POLICE-COMMUNITY RELATIONS

A. The Police View.

1. The Community Relations Program

The Community Liaison Unit of the San Diego Police Department was organized on September 27, 1963, and at the time of this study was staffed with two men - a Lieutenant and a Sergeant. In August 1966, the staff was increased to four. The Community Liaison Officer, head of the unit, is under the supervision of the Inspector of Services. The San Diego Police Department Manual of Rules and Regulations lists the duties of the Community Liaison Officer.

He shall, under the direction of the Inspector of Services perform the following functions:

The purpose of this position is to establish communication with any recognized group within the community that wishes to discuss problems of mutual interest.

This officer will make himself known to the leaders of groups and will display a desire to discuss any areas of misunderstanding between them and the Police Department. He will explain the reasons for any police procedure which may perplex members of the group. If a problem does in fact exist, he will attempt to find a solution and make any appropriate recommendations to the Chief of Police.

Basically, the duties of this officer shall include:

Discussions with group representatives;

Appearing before assembled groups when invited to do so;

Initiating investigations concerning personnel and procedures where the Police Department may be or may appear to be discriminatory;

Keeping the Chief of Police informed concerning any problems which may precipitate a police incident.

The attitude of this officer at all times should be that of conveying a desire on the part of the Police Department to maintain friendly relations with all segments of the community.

The head of the Community Liaison Unit, in accordance with his interpretation of his role, states that he is a member of and/or serves on the board of directors of a number of organizations which are concerned with social and economic problems in San Diego. He attends meetings of these groups and meets with their leaders.

If strictly adhered to, this list of duty precludes the head of the Unit from initiating efforts to go into the community and aggressively attempt to engage unwilling organizations in a dialogue involving police-community problems. Furthermore, this list of duties gives the head of the Unit a perfect "out" for ignoring the existence of "suspect" groups. The emphasis is upon friendly rather than upon meaningful relationships.

The Speakers Bureau, composed of thirty-five policemen under the coordination of the Training Division of the Police Department until August 1966, is now under the Community Liaison Unit. To help dispel misconceptions which young people may have about the police, the San Diego Police Department initiated a Student Contact Program to inform youth on police functions and procedures. In a leaflet published by the Department under the Police Chief's name, the purpose is explained:

Civil disobedience and lawlessness on the part of many students is prevalent throughout the nation. A student Contact Program involving close personal contact between a police officer and small groups of students could clear up many misconceptions regarding law enforcement. During the course of the program it was emphasized that this is not a safety talk, but actually information regarding the organization, operation and procedures of the police department, followed by a question and answer period in which the students are encouraged to ask any questions they may have regarding the Police Department.

In the Student Contact Program the Community Liaison Officer talks to the PTA, holds sessions with teachers to stimulate their interest and cooperation, and meets twice a year with individual classes. The information leaflet refers to an Inspector who evaluated the program by saying that he:

felt that not only were some of the students' misconceptions about law enforcement cleared up, but a better relationship now exists between students and the Police Department.

The leaflet concludes as follows:

The entire program is designed with the purpose of bridging the gap in communication and understanding between the students and police, which will encourage greater public support.

An analysis of a speech by the Community Liaison Officer gives an insight into his conception of his job. The speech was given to a man's social club in June 1966, and began with the Lieutenant praising the San Diego Police Department - emphasizing selection and training procedures. He then discussed sample police situations in order to point out difficulties and problems which policemen encounter in the daily performance of their duty. He described some of the approaches that policemen can adopt which he believes will further police-community relations. In passing, it should be noted that the Community Liaison Officer used the terms "public relations" and "community relations" interchangeably. The following quotation is excerpted from his speech:

In San Diego, it costs less for police protection for our citizens than any major city in our country. We have 1.1 policemen per one-thousand population which is less than any major city in our country. Yet, by every criteria that is known to government we are considered to be one of the most efficient police departments in the United States. Now, we are quite proud of this. We think that there are reasons for it. It didn't happen by accident. And those reasons are the hiring procedures, the training of our policemen, the strict adherence to rules and regulations, the close supervision that our men get and the administration of our Police Department under Chief Sharp, and of our city under the Mayor and City Council, and, most important of all, is because of support of people like yourself.

The following is a description, given by the Community Liaison Officer, of some of the community relations training which new recruits receive:

Public relations I teach. I'll give you some examples: A policeman who is thirty-five or forty goes into the field and he talks to a group of Negro boys who, we will say, are fifteen or sixteen; to this policeman they are boys. If he were to refer to them as boys he would cause animosity on their part. Based on this we ask the officers to take this word from their vocabulary. The same thing with the driver's license. He takes a driver's license from a minority group person. We have found that regardless of the officer's reason for this, if he calls

him by his first name, this causes animosity, so the officers do not do this. We are willing to change any policy or procedure if it will effect a better relationship between any group of people; now, not change the law but change our method of operation. Our officers must have an attitude of empathy; they must have an understanding of why people do things the way they do and why they react in a certain way.

The Community Liaison Officer describes his own role as follows:

Briefly, my job as Community Relations Officer is to maintain a line of communication between the Chief of Police and various people in the community. I meet with racial, civil rights, political, labor and various other community area groups and councils. My objective is to establish a line of communication in order to create an understanding among the people as to what the Police Department's policies and procedures are and in the Police Department to people's attitudes and philosophies regarding law enforcement. And our attitude is one of strict neutrality when we go to one of these groups.

The Community Liaison Officer has met with anti-Vietnam war groups and civil rights groups to discuss plans for giving them police protection at their demonstrations.

He makes an effort to convey to his civilian audiences what he believes is the special situation and circumstances of the policeman. He graphically describes the sordid side of life with which the policeman deals and he points out that much training is needed to combat the effects of this environment on the policeman's actions:

In one day I have seen, I have arrested a man for robbery - a criminal. I have gone into a house and lying in bed was a child, dead, and dead for several hours, and the mother doesn't even know it; the diaper on that kid has never been changed, it looks like weeks, just peel it off. Terrible! I have had a call for a suicide, walk into a room as a man has stuck a shotgun in his mouth, and pulled the trigger. And then I have had to go out and make a contact with a person who feels like yourself.

According to the Lieutenant, it is often necessary for a policeman to use force if he is to do his job. He adds that much of the outcry about police brutality stems from ambiguous definitions of what constitutes necessary force. The head of the Community Liaison Unit adds:

Now, I would not insult your intelligence. We have 750 policemen; everyone is not perfect. Every man does not react in a proper professional manner under all circumstances; each policeman is a human being and mistakes will be made. But in our city we think

the key to it is this; when an act of misconduct or brutality comes to our attention we do something about it. That policeman is reprimanded, suspended, or fired, depending upon the circumstances. We don't white-wash him, we don't throw him under the carpet; we do something.

The Community Liaison Officer defends the Department's practice of Field Interrogations as a necessary tool to combat crime. He believes that there should be no breach in relations: ". . . if the policeman tells the person who is stopped, 'we're stopping you . . . because you fit a description'." He comments further:

Why are teenagers stopped and questioned at all times during the day? Of course there has to be a reason for it. The policeman is suspicious because of the area, of the time of day, of what the person is doing, and because crimes for the area have been occurring in which the person stopped fits the general description. He stops to investigate. The key to this, and you just can't stop someone arbitrarily, is that the average person who is stopped is stopped with reasonable cause. Would the average person who observed this particular situation that that policeman observed have come to the same conclusion that that policeman came to, based upon what he saw? And that's the criteria. We feel it is up to the Police Department to make each one of these Field Interrogations a public relations contact, and the way to do that is simple - justify each stop in the mind of the person that you are stopping. We have found that when the Field Interrogations go down in any area of our city, the burglaries and robberies go up just like clockwork. When the Field Interrogations come up, the burglaries and robberies go down. I can show you this over the past fifteen years, just like that.

The Police Department professes that it makes an effort to gain the support and understanding of juveniles in the community and to mitigate their hostility. The Community Liaison Officer explains the nature of their effort as follows:

We meet with these young kids and we sit around a table; the first time we did it I started out by saying, 'What's wrong with the Police Department? . . . They came on like gangbusters and we went back and forth . . . To sit down with a group that is hostile and to discuss these negative aspects of a situation unemotionally and intelligently takes a little doing on both sides. At times past we found that we were able to do this. I'm not saying this is going to change the world or change their attitudes overnight, but they do have more of an understanding of their Police Department, and I think we have more of an understanding as to their reaction. We have expanded this, and last month we formed a group made up entirely of minority group young-

sters called 'Youth to Combat Crime,'. These kids are going to work with other kids explaining the law and trying to keep them from getting into trouble.

The Department sees a need to conduct a "juvenile attitude-improvement project." The following quotation of the Community Liaison Officer describes one way of doing this.

We tell these kids, we tell each one of them, 'If a policeman stops you and if he's mean or he's a bully . . . we want you to go to your parents and we want your parents to call the station. And we'll do something about it.' Because each policeman must treat this youngster as a lady or a gentleman. But that this is a two-way street. That policeman stops you on the street and your first reaction is, 'Look, Cop, don't bug me; I'm busy,' then he might not be as tactful as he should be. So we tell these kids that this is the way to look at it . . . To improve their attitude. What do we do? Let's say a policeman stops a youngster for a routine Field Interrogation and he stops this kid and his attitude is poor. The kid starts off with 'Look, Cop, don't bug me; I'm busy,' or some other nice colloquialism. What do we do? Well, we make out a little slip and send it to the Juvenile Division and the next day one of our Detectives goes to the home and talks to the parents and the kids at the same time and tries to find out why this youngster feels this way and to work out whatever they can to alleviate the attitude on the part of this person. And this, again, has conclusively shown itself to be successful.

The "Volunteer Parents" is an organization founded by a Negro in the Logan Heights district. Its membership is composed of Mexican-American and Negro mothers and fathers who serve, it is claimed, to help keep the peace at schools, dance halls, and parks. The organization is praised by the Liaison Officer for involving people in community problems and for mobilizing them to work "for" and "with the police, not against them"

This program, by the way, has been so successful . . . that we were called to Los Angeles by the Chief of Police and to Riverside County, where we explained to them how this program originated and how we got going.

Some people in the community, however, believe the organization has only a small membership and doubt the effectiveness of the group.

After the speech quoted above, the speaker made a special effort to inform a member of the research staff that he did not mean to imply that the main police problem in San Diego is with minorities and that he had not meant to spend so much time on it. Nevertheless, in his speech to the men's social

club, he stated the totality of the problem:

You may be wondering why we are talking strictly in regard to minority groups here when we talk about race relations; the reason for this is that most of our work is geared toward the Mexican-American and Negro community. For no other reason than that, whether real or unreal, these are the groups that feel they have problems concerning law enforcement and they are the groups that maintain a liaison between the Police Department and their groups by representatives. This is why I haven't gone into the total spectrum. But our Community Relations Program is not geared strictly toward minority groups, because this is a total community problem.

2. Views of Typical Policemen

Most San Diego patrolmen are aware of the Police Chief's order to maintain effective public relations - to present a positive image of the Police Department to the public. One officer stated, "Well, we've seen a trend in the past few years. They are placing much more emphasis on public relations." Policemen view community relations as a means of gaining respect for the policeman as a civil servant so that he can do his "job." Another officer stated that the Police-Community Relations purpose is to show the public the Police Department's good points and to correct any of its deficiencies. He believes that the Community Relations Program resulted from the national racial problem and the manner in which it was reported by the mass media.

Most patrolmen lack specific knowledge about Community Relations and, hence, may not be committed to it. One officer interviewed stated that he does not "fully understand" the activity of the Community Relations Unit in his own Department. Another officer defined preferential treatment as "other than equal treatment in the eyes of the law," and cited the Community Relations Unit as "an example, somewhat," of such unequal treatment. He stated, however, that he is not "real familiar" with the Unit. Another policeman commented as follows:

I sat in on one of the speeches (by the Community Liaison Officer). It [was about] what to look for from these various groups--and I walked out of there feeling that I knew a lot more about the Negroes' problems and why they did a lot of things, than maybe I did in the past.

Another officer stated that one must recognize that there is a specific job to be done by the police; if Community Relations attempts to alter the nature of this job then "you're interfering with the structure of the Police Department."

Policemen emphasized "changing the attitudes of the public" about the Department. Those interviewed believe that policemen should keep in contact with youth groups, recreation centers, and potential trouble spots to facilitate the enforcement program in a given area. In order to stop riots,

we have to get the public on the police side. If the public does not think the way we do and want the things that we do, then we're not going to have their cooperation, and, if we don't have their cooperation, we're going to have trouble.

One officer stated that the Police Chief should be receptive to and cooperative with all persons and groups who are working in the interests of the community. However, this officer believes that the Chief should not "lend any assistance to, or make any commitments to these people, other than an integrated and cooperative ultimate out-come." In other words, the Chief might not believe in a given project, but he should still retain an open mind.

Many policemen interviewed expressed the opinion that San Diego is different from other major cities and that Negroes there have no legitimate complaints. Some officers expressed a belief that many Negro complaints are drummed up for publicity. One officer suggested that San Diego's racial problem has been "carried in from somewhere else." In the opinion of this officer, there has never been noticeable discrimination in San Diego and the fact that there is trouble now stems from the national pressure for integration. Several policemen did state that the people in Logan Heights are "neglected" and that the power structure tends to neglect minorities in housing and recreation facilities, and that this makes police work more difficult. A few officers pointed out specifically that working a middle-class residential section offers the policeman more opportunities to be friendly and courteous than does enforcement in lower-class areas, where the police and the citizens are diametrically opposed --due to the frequency of illegal acts.

Many of the policemen interviewed indicated that they had attempted to understand minority group behavior, but at the same time, they think that Negroes do not understand that the police have a job to do. The stoning of police cars and the yelling of "Alabama" and "Mississippi" at passing patrol cars are mentioned by several policemen as factors which reduce police morale. One officer asked why Negroes should not back their local police, since it is the Negroes' city and laws as much as the white man's. A fellow officer replied that it is because the police are "the authority." Although Caucasian policemen interviewed made generalizations about Negroes, such as that Negroes "dislike authority" and "lack supervision at home," most stated that only a small percentage of the Negro population is a problem.

A dominant attitude encountered among policemen in San Diego was a resentment of any suggestion that they should be "preferential" in their enforcement of the law. Preferential enforcement can be defined as treating a person according to who he is rather than what he does. To the police, "a violation

of the law is a violation, regardless of whether the offender is Negro, German, Portuguese, or Chinese." At the same time, however, selective enforcement is a highly valued practice, and the typical policeman in San Diego had great difficulty in seeing any relationship whatsoever between preferential enforcement and selective enforcement. All those who were questioned admitted, however, that the letter of the law is not always enforced, even in San Diego. The comments of a police supervisor are typical:

Well, of course not. It would be ridiculous if a policeman could not and was not expected to use discretion in his routine enforcement of the law. Not only do I do it, but I tell each of my crew, 'this is incumbent upon you.'

I'm sure that we'll all agree that law enforcement is and should be selective enforcement, and it is not aimed at, it is never intended to reach all the petty violators, and that sometimes it's kind of like fishing--you would use the little one for bait.

Numerous policemen indicated that they find it difficult not to associate crime with Negroes. They are suspicious of Negroes and approach them accordingly. One policeman expressed the belief that riots and demonstrations are imminent in San Diego and stated that he feels "nervous" about it. Another officer stated that one present police tendency in San Diego is to "bust-up" groups of Negroes standing on street corners. A newspaper article quotes the Police Chief who blamed the "racial" factor as affecting both the number and calibre of police recruits.¹

Most of the police interviewed believe their primary duty to be providing protection for the law-abiding citizens. One officer stated that most complaints of police harassment by use of Field Interrogations come from people who are "out walking around the streets with no apparent business . . . it's not John Q. Citizen sitting home watching TV. . . "

Many policemen stated that they themselves try to understand the public but that the public sometimes does not live up to its responsibility to support the police. The following two quotations reflect the opinion, common to many of the policemen interviewed, that police behavior is a result rather than a cause of hostility:

¹ San Diego Union, July 31, 1966, p.9-B

It's certainly not the conduct of the policemen in Watts or any other area--it is the attitude of the Negro population that is the cancer in the situation.

To get back to this fence situation that he was talking about. Who puts the police on the other side of the fence? It certainly wasn't his choosing when he went up to a group of five hundred screaming youths, regardless of their race, it wasn't he that took the stand on the other side of the fence, it was the group that put him there. So I read this same trash and tripe that you do in the newspapers--and I'm not so naive as to say that in some sections of the country, there aren't mean, brutal, uneducated and uncouth policemen . . . but this--and I can only speak from this particular city--it does not exist here, and I hate to be crucified and reprimanded and have all this thrown at us constantly. And you mentioned attitudes and morale of any policeman, not of the Department--I think the Department itself, its internal morale, doesn't leave anything to be desired, but then when you get on a national scale where they throw this stuff at you constantly, individually and personally it hurts you and you get a little disgusted.

One officer stated that policemen try to be polite, but that trying circumstances sometimes erode their patience. He is quoted, as follows:

Now, why someone can accuse you of brutality in what you say, how they can do it with a straight face, and look anybody in the eye and accuse you of police brutality just by the way you talk to some, I cannot understand it. The normal person, if he's accused of something unfair, he's going to get mad about it. So consequently a lot of our policemen have been guilty of the fact of reverting right down to the same level of the guy that he's talking to--but the guy, in 99% of the cases, probably even more, started it. I don't blow smoke up anybody's ass until he blows it up mine first.

Another policeman gave the opinion that most people talk themselves into jail. He stated that policemen sometimes tell those who are verbally assailing them, "That kind of language will get you into jail."

An officer described three separate public attitudes: 1) I have no use for you; I only call you when I need you, and when you're done, you leave and I'm happy."; 2) another attitude is that of gratitude, very often expressed directly to officers; 3)"then there's the 10% - I use the 10% where I refer to the little . . . idiots out there that have no use for you one way or the other. So it's mixed." The police state that they have a duty to enforce the law, for the community needs to be protected.

B. The Public View

Characteristically, there is a divergence of opinion in the "public view" of police-community relations. In San Diego the divergence is based upon race rather than upon geography, economics, or social class position. Opinions about the status of police-community relations tend to arrange themselves around "positive" and "negative" poles: the majority of the white community tending generally to feel that the situation is "good," with some possible minor exceptions; the minority Negro and Mexican-American communities--regardless of social class position--feel that police-community relations are poor. Because of the clear division of opinions and concepts along these ethnic lines, the following discussion will be arranged according to majority and minority group views.

1. White Middle-Class

When asked to evaluate the state of police-community relations in San Diego, middle-class Caucasians typically responded that the relations were either; "outstanding," "extremely good," "favorable," or "exceptional." A number of persons contacted emphasized that from their own personal experiences or observations, police-community relations were better in San Diego than in other cities where they had previously lived, cities such as Chicago, Los Angeles, Buffalo, or Baltimore. One individual commented spontaneously that, ". . . In comparison with other cities, the San Diego Police Department has tried to do a missionary job here and has done pretty well."

Many persons believe the protection of property to be a prime police function and their positive assessment of the police and community relations is based, in part, on the effectiveness of the Department in this direction. A resident of a high income area, who describes police-community relations as "quite good", recalled favorably an incident in which the police, while working on a burglary case in the area, checked with him to say that his garage door was open and inquired whether any items were missing.

In support of their positive view of police-community relations, many persons mentioned the "honesty" of the police and their "efficiency" in combating crime. Several people state their belief that the Police Department is dedicated to a high standard of performance and that policemen enforce the law equally for all members of the community, without regard to race or national origin.

Some persons stated that everyone accepts the status quo in San Diego, therefore, the community does not want any changes in the Police Department. The degree of support which white middle-class residents give the San Diego police is evident in their attitudes towards the border check station ² and,

² The Border Check Station is manned by San Diego Police Department personnel and is an attempt by the Department to screen young people who attempt to cross the border and enter Tijuana and to prevent those under 21 years of

in certain instances, their attitudes towards "stop and chat" procedures used with juveniles. One lawyer, opposed to the border check, explained,

I discussed this a couple of years ago with a group that I thought would be willing to support a law suit to test the constitutionality of just this practice. And, to my surprise and shock, the civil liberties group concerned about these matters . . . happened to be composed by a lot of parents with a lot of teenaged kids, and they all took the position that they were glad to see it being done. They felt however, that it probably was a constitutional deprivation.

Several lawyers, though agreeing this procedure is unconstitutional, nevertheless felt that a reasonable basis for it could be found and, if necessary, the federal government should then assume responsibility. Several lawyers recognize that juveniles are apt to be stopped more often than adults for the same actions, yet they justify this on the grounds that youngsters represent the group that is "going to cause the problems." One lawyer felt that the:

parents are pretty happy for in the majority of cases, the police are looking out for the kids a bit when the kids are out away from home.

Another lawyer stated that:

Field Interrogation to me, where they ask a person to produce identification in a brief restraint of complete freedom of action, is certainly not that repugnant to constitutional guarantees.

The white middle-class citizens interviewed generally had limited first-hand knowledge of the San Diego Police Department's enforcement activities, except in the area of traffic contacts. While most of their opinions concerning police community relations were favorable, traffic control is singled out by many people for unfavorable comment. The consensus is that too many traffic citations are issued and that the motive for this is revenue rather than public safety. One prominent citizen stated that the San Diego Police Department is "corruption-free, tough, well-disciplined and obsessive regarding traffic control." Another person felt that citations were written in situations where a warning could serve as well or better.

The experience of our research staff suggests that much of the middle-class Caucasian community has little personal contact with the police. (The only

age who do not have parental consent from entering Mexico. This station will be discussed further in this and subsequent chapters.

exception to this is, of course, in the area of traffic regulation and enforcement.) A striking feature of the data collected in this research is the fact that the general law-abiding citizen has limited knowledge and interest in the overall operations of the Police Department of this city. The only exception to this generalization is the one fact that middle-class Caucasians who actively participate in social justice organizations have substantial knowledge of police administration and operations. Furthermore, these persons were not reticent about expressing an opinion on the matter of police-community relations. For the most part, however, the prevalent attitude among middle-class Caucasians may be summarized, as follows:

As long as criminals are caught, and as long as good citizens are protected and otherwise left alone, community relations are good!

Despite the generally favorable impression which the middle-class Caucasian community had on the subject, there were some "problem areas" which were cited in interviews with the research staff. These problem areas are important, not so much because they give an accurate appraisal of the situation, but rather because they give an insight into the view which middle-class Caucasians have of "their world." Many persons associated "community relations" with minority groups, implying that this was the only possible problem area. Many persons were quick to say that San Diego had no racial problem. At the same time, most of these persons recognized that minority group persons do have some "special economic and social problems."

The attitude was expressed by some persons that despite what Negroes may think, police-community relations in San Diego are good. A segment of the white community believes that although the police are willing to hear complaints, the minorities frequently tend to look for things about which to complain. These same persons think that the police still have much to do to educate the minorities about the police role, the difficulty being that Negroes are prone to be biased against the police and they are unable to state publicly that the Department is doing a good job. Many of those interviewed recognized that the police do constantly look at people in the poverty bracket with suspicion, but they believe this is justified because a high proportion of the poor are involved in crime. Some believe that although individual police officers may abuse their power and authority, this is not too frequently the case. One individual added that relations are good if you are "white and clean."

A number of persons regarded the formation of the Community Liaison Unit as a positive step forward. The orientation of one segment is that it is necessary for the Police Department to explain and make the public aware of the police service function and that a community relations program involved getting the Police Department's image known and improved. One description termed the Unit as one representing a "press agent" for the Police Department and offered the suggestion that actions, rather than words, are of importance. Although white residents, generally, felt they had access to the Police Department, several

expressed the view that there exists only a one-way flow of communication, rather than an exchange between the public and the community. Some in fact, think that the Community Liaison Unit is naive if it believes it is really reaching and winning the support of people at the grassroots level, especially since the program is primarily one of "public relations rather than community relations."

2. The Minority Groups

Regardless of class position, Negroes and Mexican-Americans are almost uniformly critical of the present state of police-community relations. Despite this unanimity of criticism, middle-class minority persons were quick to recognize the importance of the role which properly oriented police agencies could perform for society. (This point will be emphasized in Chapter Four of this section.) It may be said, therefore, that these persons are not anti-police, despite the intensity of their disapproval of present police policies and procedures. It should also be emphasized that many middle-class minority persons felt that the Police Department was making some positive efforts in the direction of meaningfully improving the status of police-community relations. At the same time, these persons were quick to point out that only a beginning had been made. In any case, they are reserving final judgment about the sincerity of police efforts in this regard.

Although many middle-class Negroes agree that the San Diego Police Department is "honest and clean," and is attempting to improve relations with the public, their criticisms of police policies and actions is stronger and more widespread than that expressed by the white community. Many view the community relations program as a product of the police concern over poor relations and of pressures which have been exerted by civil rights groups. Several who know something about the functioning of the Community Liaison Unit, however, believed that its present orientation is unsatisfactory and unrealistic. Their reasoning is that to be effective any such program needs sufficient authority over patrolmen.

Although middle-class Negroes indicate an awareness of the police side of the problem, they emphasize consistently that the Negro community in general neither trusts nor respects the police. The Department is viewed only as a punitive agency. Several residents believed that lower class members of their race are becoming more hostile. Others pointed out that the major part of the problem is with youths, aged 16 to 25 years.

The middle-class Negroes believed that the police view Logan Heights, a minority group poverty area, as an undesirable place to serve and that the police are inclined to pre-judge residents there. Instances of police practices--including Field Interrogations, over-patrolling, physical brutality, verbal abuse, racial harassment, and unequal enforcement of laws are cited in criticism of the Police Department's relations with minorities.

The lower-class Negroes interviewed presented a position of strong dislike and distrust of the police. No one indicated that he had any means of communicating with the police. In the opinion of the lower-class Negro, a dialogue or structure for dialogue with the police is non-existent. They are not aware of the Police Department's Community-Relations Program. A typical attitude toward the police is reflected in the following quotation by a member of a social action group:

'Cause there is this feeling about cops. Let's face it. Kids nowadays . . . a cop is someone who is unfriendly and it's only the one that stands on the cross walks guiding them to school that they really take a liking to.

A common belief among those interviewed is that the police are inhuman and are insensitive to the Negroes' need to be respected and treated with dignity. This produces frustration and a rebellious spirit. One youth stated that he had been arrested several times and then released without being charged, and finally, because of this, he was repeatedly late to work and lost his job. He felt that the police did not care or consider what would happen to him.

Other statements indicated a belief that a complete lack of communication exists between the police and the lower-class Negro: "I wouldn't be no mother fucking police . . . Why? Cause I'm black. I wouldn't be no police." The following quotation is taken from a street interview with a youth:

Question: What are your attitudes about the police?

Answer: I don't like them, man. They's chicken shit, but you can't tape that?

Question: Sure, I can tape that. I don't want to know your name or anything. I just want your opinion.

Answer. I feel they are very belligerent people. They don't have no understanding of your problems. I mean, if you have a problem, they don't listen and try to understand you or nothing, man. Only thing, the police, you do what I say, that's the policeman.

Question: Have you ever been stopped by the police?

Answer: I been fighting the police.

Question: How do you plan to fight them?

Answer: With these, [pointing to hands] that's the only thing I got. And I'll keep on until they put me in jail. They put me in jail two or three times for fighting, and they'll put me in jail again if they mess with me again, the same way.

The Mexican-American community in San Diego is not highly organized and communication with the Police Department is practically non-existent. Community leaders express the belief that Mexican-Americans do not have good relations with the police. Despite these generally negative reactions to the Department, there is also a realization that part of the problem stems from language barriers, the impact a different culture has upon their highly authoritarian family structure, and the "neutral" function of the American policeman as compared with the judgmental one of the Mexican policeman.

Mexican-American leaders have expressed the belief that the police in San Diego "exist for the protection of the Caucasian [Anglo] community" and that they have only "restraining and punitive" functions. It has also been stated that police "impose themselves upon the community." Generally, it was felt that residents are "scared" of the police; they believe police do not understand Mexican-Americans, nor do they attempt to do so.

Several police practices were singled out for unfavorable comment. It was felt that police are discriminatory, condescending, and paternalistic. This is evidenced by indiscriminate stopping and frisking of both minority adults and juveniles; the use of degrading terms, such as "pancho," "muchacho," and "amigo," and excessive patrolling within the Mexican-American community.

Although some middle-class minority persons were in favor of the principle behind recent efforts of the Police Department to improve communications, many were frankly skeptical of the results which could be expected. There was general approval of the recent hiring of a Negro sociologist to teach human relations to recruits in the Police Academy: many stated, however, that improvement in the present state of police-community relations would take more than the hiring of one Negro to teach an occasional course at the Academy. Since training in human relations is limited to newly recruited officers, many minority group persons were skeptical of the Department's sincerity in this field when it apparently determined that older officers are to be "immune" from such training.

A portion of the criticism which is directed at the San Diego Police Department should more properly be directed at certain other agencies. This is the criticism which groups the San Diego Department with other policing agencies in the county. Mention was made in Chapter 2 of the tendency of many persons to stereotype policemen and to group all "policemen" in the same "shotgun" criticism of specific agencies. In the San Ysidro area along the international border, a good deal of the criticism of "police practices" was actually intended to be directed at the U.S. Immigration and Border Patrol, the U.S. Bureau of Customs, or the San Diego County Sheriff's Department. Intense and heated criticism was directed at the practice of Federal agencies to use helicopters to "hunt down people as if they were animals." Mexican-Americans in the area objected to the "indignities" to which they are subjected at the Border by U.S. officials. Objections were also directed at the poor and discriminatory policing services of the Sheriff's Department in the pockets of unincorporated territory near the international border.

Even though many of the persons who were expressing these objections to the "police" intended their criticism to be directed at the proper agency, the San Diego Police Department inevitably became accused of the "crimes." The point is that there is little the San Diego Police can do to deal effectively with this type of "broadside attack," except to explain to concerned citizens that they "aren't guilty." This "spill-over" of problems, however, is made possible by the very nature of policing under our federal system of government. In each metropolitan area, there are a multiplicity of policing agencies, on the federal, state, and local level of government. No single agency has the jurisdiction or authority to deal realistically with "the problem."

Most persons, who had an opinion on the matter, personally approved of the Lieutenant-in-charge of the Community Liaison Unit. The general feeling was that he was a sincere young officer who was dedicated to improving police-community relations. At the same time, however, many stated that he was "naive" about what was actually necessary to improve relationships.

The criticism of the Unit which was made by members of the community primarily involved statements about structure, but some comments did focus upon personalities. Many doubted the power and authority of the Unit within the organization, pointing to the fact that the head of the Unit is only a lieutenant and that the Unit is placed under the Inspector of Services. The position of a Community Liaison Unit within the formal structure of the Police Department, these people maintain, reflects the attitude and importance which the police attribute to police-community relations. Opinions were also expressed that police generally oppose community relations, at least as defined by members of minority groups, and therefore, pressure within the organization acts as a constraint on a Unit's actions. As one person put it, if the community liaison officer were really effective, he could "kiss promotional opportunities goodbye," for senior officers sit on his promotion boards. Some sympathized with the head of the Unit for the "hopeless" job he had been given to do.

Another reservation about the effectiveness of the Community Liaison Unit centers upon another office held by the Lieutenant-in-charge. He was recently elected--by secret ballot--to the office of President of the Police Officer's Association.³ Although this fact is not widely known in the community, those persons who do know about it and who, at the same time, are critical of the Community liaison unit, these persons feel that the presidency is not inconsistent with police-community relations; in fact, in the future holding of such "dual offices" might be a means of evaluating the effectiveness of police-community relations. Uniformly, however, these persons point out that San Diego has not yet reached this "idyllic" state. Consequently, the lieutenant's election to head the police association is prima facie evidence that the Unit is seen by

³ This is the association composed of members of the Department who band together for social and professional purposes. It has no official connection with any other police association.

the police as no more than necessary "window dressing."

Criticism is also directed against the Unit on other bases. A number of middle and lower-class Negroes in particular expressed their resentment over the assignment of a particular Assistant Liaison Officer to the Unit. They related instances which they interpret as "proving" that this particular officer is racially prejudiced. They express a uniform belief that the Department ignores complaints about this particular officer. In addition -- in their opinion -- the Department has refused to rebut any of the rumors which circulate about this officer. In failing to correct these widely-believed rumors, the Department proves its actual lack of concern. This "intransigence" on the part of the Department has more "meaning" to them than all the other efforts the Department is apparently making.

Finally, some persons who demonstrate a degree of sophistication in the subject of police-community relations, criticize the fact that the Community Liaison Unit has been given the additional responsibility of training Department personnel in "riot control" tactics. (Such training is done by one of the Assistant Liaison Officers, simply as a small portion of his assignment, rather than as a principal assignment.) Persons who express this criticism of the Unit feel that "riot control" and "police-community relations" are incompatible subjects and should not be combined by the Department, even in this limited way. Such a combination, in their opinion, cannot help but dilute the significance of police-community relations, particularly in the eyes of impressionable, young police recruits. If the subject of riot control is to be taught, these persons feel that it should be taught by practically anyone else but a member of the Community Liaison Unit.

Since one responsibility of the Community Liaison Officer is to receive and assist in the investigation of complaints against members of the Police Department, any community dissatisfaction about the effectiveness of the citizen complaint procedure naturally "spills over" and detracts from the "public" view of community relations efforts. ("Accountability" and the whole complaint procedure in San Diego will be discussed in detail in both Chapters Four and Nine of this section.) This matter is a principal point of contention between the Department and the minority group communities. Presently, it is enough to say that few persons in the minority group community are convinced of the adequacy of present complaint procedures. There is a feeling of frustration and despair on this count. As one minority group person said: ". . . taking a grievance to the Police Department is almost futile." Another individual stated the matter in greater detail when he said:

Now, I think its been more the rule than the exception over the past years that they [the police] will listen sympathetically and they will write it down and take a lot of dialogue and a lot of information and say . . . Yes, we will process this and see that something is done about it . . . But about the time you're

out the door, why, this is usually filed someplace and they say . . . Well, that guy has gone away, he's happy we listened to him, and he got it out of his system; we can just forget about it. . . .

The point is that the "perceived inadequacy" of present complaint procedures does affect community attitudes about the status of police-community relations in San Diego. Until the community feels that the situation has been drastically improved, police-community relations efforts will be handicapped from the outset.

Finally, the whole concept of the San Diego Police Department's community relations program can be examined in relationship to minority group attitudes. The hard-core, the "unreachables", the truly marginal persons in the minority group communities are simply unaware that a community relations program even exists. These are the people who do not attend the meetings, the youngsters whose absence from school excludes them from the School Contact Program, the people who do not see or cannot read the various information leaflets which the Community Liaison Unit distributes. For them, there have been no outward changes on the part of the Police Department.

The Department makes no official use of civilians, sub-professionals,⁴ or other indigenous people to serve as "communication links" between the Police Department and portions of the community. Interpretation of police programs for the public is done by members of the Department, the same personnel, by and large, who are responsible for interpreting community attitudes about the Police Department. The Community Liaison Unit personnel are convinced that they receive a representative sample of community viewpoints. The data accumulated in this research however, would seem to contradict this assessment. Until the Department becomes convinced that its own assessments are incorrect, it is doubtful that there will be any use of such "interpretive" persons.

The articulate, the sophisticated, and aware middle-class minority group person sees this situation as one of real weakness on the part of current efforts by the Police Department. These same persons are doubtful that the Department will ever reach -- in some meaningful way -- these hard-core persons. Furthermore, many of them even doubt that the Department has a genuine desire to reach these persons.

By and large, the program is seen as being some sort of "public relations puff," a "snow job," or a deliberate "con game," whose real purpose is solely to improve the image of the Police Department. Some persons displayed their "thoughtfulness" on the subject by saying that the Department was interpreting "public relations" to mean "community relations."

⁴ Gordon E. Misner, The Development of "New Careerist" Positions in the Richmond Police Department, Contra Costa Council of Community Services, Walnut Creek (California), 1966, 7 Opp.

Consequently, a dominant feeling on the part of middle-class minority group persons is that the Department is consciously or unconsciously overlooking any long-term gains for the community. It is thought that, instead, it is focusing, upon short-term changes and improvements. The belief is that when the Department talks about the "communication process" as part of community relations, it is really talking about a one-sided conversation. The Department, in their view, is anxious to get its message "of goodness of purpose" across to the public, but as they perceive their experience, the Department really has little interest in making it a two-way communication process - a genuine dialogue. Although many persons are hoping that the Community Liaison Unit will become more effective and although many applaud the first efforts of the Department, many are still of the opinion that the Unit is effective and does a remarkable job -- only in its relations with the White Middle Class.

Chapter Four:

PROBLEM AREAS IN POLICE-COMMUNITY RELATIONS

A. The General Community

This section presents the problems relevant to police-community relations as perceived by members of the white middle class in San Diego. The white middle-class community mentioned refers to the general "Anglo" community; it does not include Mexican-Americans.

1. The "Negro Problem" and Indigenous Leadership

A consensus is apparent in the opinions about Negroes held by middle-class Caucasians. The persons interviewed emphasize that they do not think the problems of Negroes in San Diego are as severe as compared with other areas of the nation. The Negroes have not been as "oppressed as they have been in other communities." The problems that do exist are only those found in other big cities, but on a smaller scale. These problems stem primarily from economic and social factors, and they include the lack of education and training in job skills which leads to unemployment. A number of Caucasians believe the problem is largely one of uneducated and frequently illiterate Negroes coming from the South into an entirely new social setting, which gives them much personal freedom but with which they are unprepared to cope. A judge indicates that the cases which come before him involving Negroes concern those who recently came from outside of the San Diego area. It is the general belief that most Negroes are content and peaceful; it is only a few "rabble-rousers" who stir up trouble and gain attention. To the general white community, the minorities are not perceived as an important concern. They explain this, in part, by the fact that minorities comprise but a small percentage of the population.

If the view of the white community about Negroes could be summarized in a single theme, it might be similar to this statement by an attorney: "The whole problem with the Negro community is one of education." Consequently, the solution which is repeatedly mentioned for the racial problem is one of long-term education and training to impart job skills and to stimulate motivation. Civil disobedience tactics of Negroes are disapproved of because they are "illegal means," which tend to create an "anti-authority" climate. Furthermore, civil disobedience tactics are believed to have little effect in solving the problems of minorities.

Some members of the white community characterize the communication which exists between the Negroes and the white power structure in San Diego as good. More, however, though believing that San Diego Negroes face relatively unsevere problems, state that interracial communication could be improved. Some of those who believe that the dialogue is inadequate blame the situation on the lack of commitment by Caucasians.

Well, you know, it's again the business of communication; it's a two-way street. And this lots of people forget. There has to be a desire between both the person communicating and the person being communicated to, to have this, to be communicated with. And if there isn't any desire, there isn't any way in a million years that you are going to get through. You have to create a cultural feeling, where people want to understand each other.

A lawyer was impressed by local civil rights leaders' statements on a post-Watts incident television program that there is very poor communication with the Police Department. A woman active in civic affairs expresses her belief that it might be helpful for the School Board to more actively participate in a dialogue with civil rights leaders and the "grass roots" people.

A more commonly held opinion in the white community is that the power structure is willing to talk and debate, but that it is difficult to find Negro leaders who represent the Negro community. It is thought difficult to find a qualified spokesman in the Negro community - one who has its faith and confidence - with whom to communicate. What is lacking is a leader through whom the Negro community can give and receive "communications" to the city administration and who, in turn, can transmit "communications" from the power structure to the minorities. It is believed that the upper- and middle-class Negroes do not condone violent demonstrations, but it is felt they have little influence at the grass roots level. Many persons discuss in detail the problem of finding a "leader" who truly speaks for his "so-called followers." There is a high degree of competition among Negroes for the position of "leader." However, once a leader does emerge and establish lines of communication with the establishment, the Negro community quickly becomes disillusioned or, as an alternative, they disassociate themselves from him. He is considered an "Uncle Tom" by those who, in fact, made him

a leader in the first place. It is soon apparent that he is speaking for no one but himself. In the sense that the Negro community does not support consistency in its leadership, there is a general attitude in the white community that Negroes do not always bear their full responsibility to the City.

Many of the Caucasians interviewed are aware of the Volunteer Parents program, founded by a Negro in Logan Heights. The attitude toward the organization varies. Some think that it should be credited with improving police-community relations, and they point to instances in which its members have kept the peace at dances, schools, and parks. One lawyer indicates that Volunteer Parents is evidence of the contentedness of the Negro population, for it is an example of the desire for minority-police cooperation. A dinner event at which the police were presented with an award is seen as further evidence of the support that the majority of the Negro community has for the police. Others, however, who mention the organization are critical of it. Some doubt its efficiency and effectiveness and question the claim by the founder that he has three hundred parents working with him, for they think that he has only a few followers. To several interviewers, the organization neither represents the majority of the Negro community and the grass roots, nor does it adequately reflect their interests. Some individuals believe it creates and does more harm than good for the long-term goals of minorities in San Diego.

2. The Post-Watts Incident in Logan Heights

Shortly after the riots in Watts in August 1965, an outbreak occurred in the Logan Heights area of San Diego. The police responded with what Caucasians, Negroes, and Mexican-Americans generally agree was "a show of force." People differ, however, in their opinions of whether this show of force was necessary.

Generally, the members of the white community interviewed express support of the police action, although some qualify this position with reservations. Unlike the Negro community, few - if any - whites were outraged by this show of force. A lawyer states that during the Watts demonstration there was "some concern" by the local white community to prevent outbreaks of violence in San Diego, and the police took "extra precautions" by placing more men in the Logan Heights area. When asked whether the police presence was necessary, a social action agency official thinks it was: "After Watts, yes. Because they were terrified, you know -- and rightly so." An official in local affairs comments that the people in Logan Heights were attempting to emulate the riots in Watts for the purpose of looting. Another believes that the Police Department's immediate control of what could have been a volatile situation was a fine example of good police work.

A number of people expressed the belief that the power structure and not the police had made the decision to give a show of force. They

attribute the action to the Mayor, the City Council and/or the City Manger.

A social welfare worker observed that the police operation during the incident was very efficient and it did not seem to create any problems. He considers it a very good police-community relations effort, to avoid the type of situation that occurred in Watts. Although there were complaints of "roughness," none of these, according to Caucasians, were verified. A television reporter says that they had photographed the action and there was nothing which would justify any criticism.

Some say that while the "situation" had to be controlled, it could have been handled better, for the show of force antagonized some people in the area. A woman active in civil rights stated:

The Police Department and the Mayor were highly sensitive to the possibilities of Negro riots, and therefore had made a show of force down at Imperial Avenue, the main arterial through the Negro community. The police walked through the community, several officers abreast, and several squad cars with five men in each were present. Rifles were showing openly. I had several discussions with the Negro community and the Negro leaders; there was a negative reaction towards this action . . .

A lawyer expresses reservations about the action when he says:

There were a couple of outbursts in the Negro community after the Watts incident; and the police of the community probably "over-enforced" the situation. I feel that the police had made an excessive show of force; too many uniformed men were in the area for all that was happening. However, there was absolutely no brutality.

Another woman who is active in the civil rights movement mentions her belief that the police tried to create a big riot out of a small incident. She thinks the Police Department is "all keyed up" in this respect and that the police action was a "frightening" and "intimidating" experience for the people living in the area.

3. Police Discrimination

Members of the white community express their belief that the San Diego police practice discrimination. Four types of discrimination are apparent from their comments: race; age; income; and appearance. The discrimination, it is thought, is not necessarily conscious on the part of the police, but it is often interpreted as prejudice by the people who experience it. One social action agency official speaks of it in these terms:

. . . it is a statistical kind of thing, rather than being a prejudicial kind of thing. The statistics have come in that Negroes out of the ghetto at night are a source of problems, and they'll stop them. Generally, and I've seen a lot of policemen operate, the San Diego policemen have been very courteous . . .

A poverty program official states that the police tend to see the principal crime problem in terms of the Negro community, and they, therefore, associate crime with Negroes, thus giving the police a racist overtone, whether or not it is warranted. An attorney recalls a case in which a seventeen-year-old youth escaped from Juvenile Hall. After a long chase he was shot and killed by a pursuing officer as he was trying to crawl under a barbed wire fence. The attorney does not believe that the officer intended to kill the youth, but he thinks the action does indicate how easily the policeman lost his patience with this particular Negro youth. He states that it reflects a lack of respect for the Negro's life and it is "symptomatic or at least symbolic of the attitude of the police toward Negroes generally." In discussing another case, in which a Negro boy had been falsely arrested and held in Juvenile Hall missing three days of school, the attorney believes that if the boy had been Caucasian, the police would have ensured that he was not absent from school. The field interrogation procedure (which is discussed in detail later in this chapter) is thought by a large segment of the community to be utilized much more often in certain areas of the city than in others - infrequently in upper-middle-class and upper-class neighborhoods, but frequently in lower-class areas such as Logan Heights.

A lawyer states his opinion that discriminatory enforcement is a factor which hinders minorities in forming improved attitudes about the police:

Thank God every arrest doesn't cause a riot. But we have here situations occurring with more frequency in some areas than others, situations occurring with more frequency with perhaps juveniles as compared with older persons, and I think seriously that the reason for these reactions to the police is the feeling that the person being arrested or the area in which the arrest is taking place is not being treated in the same manner as other areas might be I'm sure, for example, that this situation occurs and does occur in San Diego with more frequency in Logan Heights than it would in La Jolla.

Another attorney comments that riots elsewhere in the nation tend to reinforce the belief held by minorities - particularly Negroes - that they are discriminated against by the police:

I think that as riots occur, it hardens people's resolve, or resolution, that the riots should be put down. As these riots are put down, it hardens the feeling of what was referred to as a ghetto here, that they are being treated differently from other people.

Appearance, as indicated by type of clothing and hairstyle, is considered by many to be an important factor in whether a person is stopped by the police. A college professor comments:

Yeah, there are police everytime you get a bevy of young men with beards and long hair . . . they'll be closely watched by the police.

Constant interrogation on the basis of appearance is deeply resented.

Well, you know, somebody stops you, and you are not doing anything. If you are sitting on a bus stop, wearing a beard, minding your own business, talking to a friend, and a police car comes up and stops and asks you for identification, this certainly can be harassment I think they [the police] are cautioned to be more aware of nodules of atypical young men.

Another version of this view of police action is stated in these terms:

. . . and the policeman stopped them and began questioning. Why was he questioning them? Because they had beards. It seems that Abraham Lincoln would have been a beatnik person. Immediately we came out of the restaurant, when we saw the policeman stop them, and introduced ourselves, but they are suspect of any idiosyncratic behavior of people.

4. Police Brutality

The white middle-class community does not think that physical police brutality exists in San Diego, and few of the Caucasians interviewed believe that the police use excessive force. Most of them define police brutality as solely physical brutality. As a social action agency official defines it, police brutality is: ". . . when a policeman physically manhandles a suspect when he doesn't need to be, when he himself is not in danger." A few do interpret police brutality more broadly - to include verbal abuse, harassment, and intimidation - but most of the Caucasians do not.

A bailbondsman states that he has heard many complaints of police brutality but he has never found them valid. They are usually dropped by the complainant shortly after the person is released from the jail cell. A judge indicates that in this court he has not had any instance of police misconduct brought out. He knows of no police brutality or any kind of evasion of the Dorado ruling or of other Supreme Court decisions. Many Caucasians think that minority and ethnic groups unfairly charge police brutality. In their opinion, Negroes "are crying 'Wolf!' illegitimately."

5. Field Interrogation

The white middle-class community generally approves of field interrogations in which police stop and question persons who appear "suspicious." Most see field interrogation as a "legitimate," "progressive," "innovative" police measure for combatting crime, but they express certain reservations about the techniques. Some of the persons interviewed state that of the complaints they have heard, mostly concern bad language and aggressive behavior on the part of the police rather than an absence of justification for the interrogations. Police demeanor and language are seen as key factors which can and do erode the support for the police of those interrogated. An ambivalence in the white community regarding whether priority should be placed on preventing crime or protecting individual rights is evident in the following statement by a lawyer.

In answering specifically to the question of field interrogation, I think it has to continue in order to have effective law enforcement. . . . To me, if a police officer asks questions in an insulting manner, automatically you have a bad field interrogation. But I believe the opposite side of the coin, too. I think that the emphasis has now so far shifted that the optimum officer in a racially tense area cannot go in and ask with all courtesy and so forth, and get an answer, either from a man who, from his Southern background, resents any police officer or because of this polarization that's taken place, gives answers which I wouldn't want the officer to take or expect or receive in any other section of the city, and I don't think there should be a delineation.

I'd like to see . . . my idea of the optimum in any society is the same law applied to every single person, and don't give them any pluses, and don't give them any minuses. And I'm fearful now, because we are so concerned about the situation, that we are going to create an overbalance the other way.

The above statement reflects a belief that field interrogations are a necessary police procedure and that they are unfairly criticized by minority communities. One lawyer summarized his view of field interrogations as follows:

I'm in favor of the constitutional protection as you are. By the same token . . . isn't [it] merely the counterpoint of the fact that we are living in a pretty complex society? Since we don't have the cop . . . on the beat any longer, we make an attempt to achieve . . . a reasonable degree of familiarity with the neighborhood . . . When there is somebody unfamiliar in the neighborhood, find out what he's doing there.

Another segment of the white community thinks that repeatedly stopping people on the street harms police-community relations. A social action agency executive comments that youth dislike being subjected to field interrogations and that "F.I.'s" undo the good of the preventive work which the police do in the classrooms. Several persons interviewed reveal that they know of people who have been stopped repeatedly and, although each time it was by different policemen, the cumulative effect is that of harassment. One case in which a Caucasian professor, tweedy and disheveled, had been interrogated by the police; apparently because he "looked out of place" and suspicious, resulted in his deep resentment. The person relating the incident suggests that if this can happen to a white college professor, harassment is probably "even more prevalent" in the Negro community. That some Caucasians perceive field interrogation as harassment is reflected in the lawyer's statement which follows:

The kinds of complaints that I get, for example, from people in Logan Heights are not to the effect that there are a lot of police in the area, but "they stop us a lot of times when we are just walking down the street." . . . I don't think anyone would object to the fact that there is a policeman on every corner if the crime in that area warranted it. When I have a nineteen-year-old boy, and he says he's stopped everyday on his way home from school and the police ask him where he's going, and so forth, then my son objects, and I think rightly so, because he's not been told that he's suspected of having committed any crime.

Another lawyer indicates the belief held by several of the persons interviewed that field interrogation is used by the police as a means of harassing people who look different and whom the police hypothesize to be law violators:

I've got a case right in my office right now that came in when it was thrown out the other day. A police officer stopped a Negro who was six foot four, and he was wearing a beard. He was driving his car down to the laundromat to do his laundry after he got off work. The officers stopped him; he asked them what for. One said, "Well, I wanted to see how long your beard was. Let's see your drivers license." There was no traffic offense, no mechanical violation. The policeman looks at his drivers license, and says, "I'm going to call in and see if there is anything out for you." He calls in and there is a warrant with the same name, a traffic warrant . . . failure to appear. They go to the Marshall's office, this guy is begging them to check the license number on that other citation, check the description. He has to go to the Marshall's office where this information is kept, refuses to check it, takes him in, makes him bail out. Comes to court, they find out that they were looking for a five foot six, 140 pound, blond, blue-eyed Caucasian.

6. Youth Problem

The white middle-class community views the control of juveniles as a major problem in San Diego. As an attorney states, "I think the biggest antagonist, if you are going to take any group between the police here . . . is youth versus the police." The primary situations involving police-youth contact mentioned are at the U.S.-Mexican border, in traffic and loitering cases and at public social events such as dances. In discussing the "juvenile problem," a segment of the white community comments on the problem of youths crossing the border into Mexico. Tijuana is seen as a "miserable," "dirty," "rotten" city and an "evil" place for juveniles. The general belief is that juveniles should not be allowed to go to Mexico without parental permission. The San Diego Police Department has developed a policy that no one under eighteen years of age can enter Mexico unless he has written approval from a parent or guardian; consequently, youths are screened by the police at the border. Parents apparently welcome and approve this policy, but when questioned on the point of legality, many lawyers and judges believe that the policy is unconstitutional. A number of people in the white community express the view that they hope the matter is not tested in the courts: "I think this is an example of the benign and benevolent deprivation of constitutional rights." Although there is a consensus that juveniles should be kept out of Tijuana, some think that this should be the responsibility of the family rather than of the government. A member of the legal community comments:

. . . their parents don't want them to go to Tijuana anyhow, but yet aren't able to control their own children, so that if they say, "Don't go to Tijuana," the kids won't go to Tijuana. . . Unless you can adopt the rule that the end justifies the means, I don't think the police have any right to keep them out of traveling to Mexico.

An attorney explains his feeling about the policy by saying, "I think it's just passing the buck and we've grown kind of accustomed to it." Another comments, "I think there should be some other way than through state action keeping juveniles out of the traps in Tijuana."

On the subject of police differential treatment of juveniles, a number of adults express the view that "the police ride youths close," particularly with regard to driving and curfew. Some believe that a youth is suspect if he is driving a car and that traffic laws are more rigidly enforced against teenagers. A lawyer characterizes the situation in the following terms:

. . . and it doesn't take a very bright kid to realize that he's picking up the ticket for something his dad does all the time, and is never stopped and questioned about. And that kind of shakes up the kid. He realizes there is not uniform authority, uniform enforcement of the law in those areas, and so he starts off in life with

this resentment against the police. I know the answer to that is: "Well, we can show you the statistics - juvenile drivers cause more accidents and they do wild things." And I know they do wild things, no doubt about that. But . . . they get nailed not for doing wild things, but for some minor infraction that the old man wouldn't get a ticket for . . .

The dominant opinion in the general community, however, appears to be that the police are doing a good job in handling youth. Much of the responsibility for the youth problems is placed on youths themselves, for it is thought that "they" dislike authority, resent the police, and are callous to attempts by the police to improve communications.

When you get into the area where there is a conflict between police and youth, I haven't found too much validity for youth in their position relative to the harassment. I haven't seen that here locally. I wouldn't pick up the brief and carry it for youth. I am one of those, since I now have a teenager, I'm all for the police . . . instilling the basic respect for "law and order" that I think is necessary in any ordered society.

A judge comments that the juvenile problem is rooted in economic problems and the processes of urbanization, thus removing youth from direct personal responsibility.

7. Police Complaint Procedure and a Review Board

Although there is some division of opinion in the general community about the present procedures for handling complaints against the police, the dominant feeling is that most of these complaints are attempts to harass the police and the general tendency is to support the police position on the matter. However, it is reasonable to conclude that there is a lack of awareness and a lack of knowledge in the community about police matters, and that only a small segment of active citizens demonstrates having considered the matter at all. Few citizens have had actual experience in the complaint procedure and those who have, hold different opinions. A professor recited his experience with an evaluation of the situation:

Now, when I made a complaint about a ticket that I received, I got very good response. And as a matter of fact, any citizen - and I know this to be true - can go, if he feels that he has an unjust ticket; before even he goes to court and pleads not guilty, he can go to the lieutenant. Not many people know this, unfortunately. He can go to the lieutenant who's in charge of the traffic, and explain the nature of the ticket to him. And the lieutenant will investigate it, and if he doesn't think it's a right ticket, he will get them to withdraw it This happened to me.

Most people who had particular knowledge about complaint procedures, believed that although the machinery of processing complaints is adequate, more people should be made aware of its existence, and they should be urged to make use of it. Some believe, however, that only by major structural changes could the public - particularly low income minority group persons - have their complaints handled and reviewed fairly. A social action agency official suggests that:

. . . many times there is an incident which reflects upon the police, such as an arrest situation in which somebody has indicated that there was either brutality, excessive force, or a poor judgment made. Many times these accusations are forgotten and there is never any follow-up in the public media as to what the final action was, if any at all. On personal contact with the Police Department I have found that disciplinary action was taken when the police officer was in the wrong, but it is the policy of the Police Department not to publicize this. I think that this is an error, because many times the community sees this as a "whitewash."

A woman active in civil rights agrees that the Police Department does have complaint-reviewing processes, but she believes that more should be done in following through and communicating results to the people.

A welfare official suggests that the primary problem is one of communication. According to him, the people think they have "nobody to bitch to" when there are complaints, and that there are no channels of direct communication to the Chief of Police. He thinks, however, that even if simple complaint procedures are developed, those in the poverty classes would not benefit; they would be frightened by it and would therefore ignore it. A social action agency official states his view that the man on the street only believes in concrete changes, and although many complaints are processed, many are never seen or heard of again. This lack of communication and of "results" makes people become disillusioned with the police.

In the area of civilian authority in police matters, the white community differs about the desirability of having a police review board in San Diego; opinions span a continuum of strong opposition to strong support. Those opposed to a police review board base their stand on the belief that the San Diego Police Department is doing an admirable job and that a review board would only serve to undermine police morale and efficiency. A lawyer states:

If I were in a different community, and I didn't have the confidence that I have in this police force, I would possibly consider it. But I reasonably in my own mind have eliminated it as a necessity or a reasonable precaution for this community. I have a great confidence not only in the district attorney's office here, but in this county. And that being so, I don't feel that there is any need for it, and I don't think it's appropriate. And I think that the

police are having sufficient problems adjusting to what I feel are very proper safeguards now being instituted by the Supreme Court. And this, to me, would be a method of harassing, or could be, and is completely unnecessary in this community at this point in time.

Some people oppose a police review board on the grounds that while it might appease some critics it would not solve the real problem which produces discontent. One observer casts the problem in these terms:

Well, to me, you could go much further. You could have a minority group act as the police review board, and that could really satisfy people, but again, that to me is wrong. That would solve your problem more than an impartial, or a community-wide review board . . . but to me, that's a concession that I don't think should be made.

A statement by a lawyer discusses this idea in more detail:

I think it [a police review board] can be abused. There are so many things that are occurring now to head off explosive situations, and it's like, it's like a child. Sometimes you can create more problems than you solve, by "giving in" or "making concessions" you really don't think are appropriate, but this will solve the problem temporarily. But you are not solving; you are indicating the strength of the opposition, and the people that you think are wrong will just continue to grow in their demands for things. . . I say this can be abused. That's what I'm fearful of. And if I were a police officer who was doing my function, and complying with all laws, and as far as we know, that's what is happening here, to have that type of pressure then exerted on me, over and above my superiors, over and above my organization, I'd resent it and it would impede my morale and status in my own chosen profession.

Some persons who were interviewed - including some local government officials - vigorously oppose the concept of a review board as unnecessary because present procedures are adequate. When asked to outline what these procedures are, they often had to admit they were unacquainted with the present situation.

Another segment of the general community feels that some type of police review procedure is desirable. A representative of a volunteer social agency believes that the term "police review board" is too controversial and emotionally charged, and that when it is used by a person, he loses influence. However, he personally thinks that some kind of review process is mandatory in the immediate future if the police are to overcome the criticisms leveled against them. Another social welfare representative states that he supports a review procedure, and he emphasizes that if one is established in San Diego, it must be composed of "disinterested parties" and attention must be constantly directed toward it to ensure that it does not veer to the right or left politically. He thinks "politics" ruined the Philadelphia Civilian Review Board.

Many of the practicing attorneys interviewed support the concept of "civilian review." They justify their opinions on experiences they themselves have had. One suggests that:

. . . we have a civilian review board of the police when it come to disciplining as far as people who have been convicted of crime. That's what the Supreme Court, the law courts do; but we don't have anything, any adequate relief, for citizens in those cases where there is no arrest or conviction.

Another comments:

I think that there should be one [a review board], and my main reason goes back to a time when I was in a district attorney's office, when the defense won because an officer's conduct was detrimental to the prosecution of a case. But because of the association, because the officer had been in the Department for a long time, because different officers who were called upon to review his actions were acquainted with his wife and family, no action was taken. I don't think the reviewing officers made good judgments.

After citing a case in which a white youth had been falsely charged on suspicion of robbery and burglary and forced to spend a weekend in jail, where he was "manhandled pretty badly," another lawyer asks:

I still want to know - what's the objection to a police review board? . . . What's been done about the police officer that is very high in the police department that's consistently fouled up, that's consistently committed crimes greater than the ones that he was in charge of, and they just move him over somewhere else in the department? That's no deterrent. And certainly it's no satisfaction to the people.

Several persons interviewed state they are aware that the police are opposed to review boards, but they think that this fear is unwarranted. It is their opinion that by having a review process the police could better communicate their role to the public, improve their image, and thus gain the public's cooperation in law enforcement. A social welfare official thinks that the police could "utilize and benefit from fair hearings and an appeal process." As one socially active member of the white community comments:

The police won't like me for this, but I think that the police shouldn't be afraid of a review board, if it's fairly constituted. Of course, that's the big criteria everytime - who is going to be on the police review board, and what constitutes a fair representation. I don't think the police should be afraid.

There is, therefore, quite clearly a division of opinion in the general community about the whole matter of dealing effectively with complaints against the police. There seems no question that if the matter were placed on a city ballot, the vote of the general white community would be against the institution of any civilian review process. It also seems clear, however, that large segments of the community, including many persons who should know more about procedures in their local government, are simply uninformed about the present situation. Those persons whose professional or civic interests are most central to the problem, however, are apprehensive about present procedures for dealing with complaints. Many of them are vigorous advocates for an effective civilian review of police activities.

8. The Mass Media

Many persons - including representatives of the mass media in San Diego - believe there is an actual press policy of not criticizing the police, and that all sectors of the mass media acquiesce to this policy. Some members of the legal community also believe that ". . . it is a policy that they [the newspapers] will never run anything adverse to the Police Department." Reference was made several times to two separate incidents involving a high-ranking member of the Department.¹ One incident involved an assault and battery in a bar which was eventually disposed of by an out-of-court settlement. The other incident involved charges of violations of Federal law and the illegal importation of intoxicants from Mexico. Diverse sources of information reveal that neither of these incidents has been publicized by the press. Each informant stated that such a practice reflects a "bad press policy." One member of the press agreed, but stated that he was apparently a "loner" in the San Diego press corps.

¹ Concerning this case, it should be made very clear that neither the Department nor other "ranking" officers should be smeared by this incident. It is also the opinion of members of the research staff - as well as members of the San Diego community - that this is an isolated case and is a source of deep embarrassment to the Police Department. Diverse sources of information in this study revealed uniformly that the Department was "clean" and that it was also energetic in its disciplining of members of the Department for even minor personal improprieties and infractions of the criminal law.

Both the Department and the City give evidence of pride in the integrity of the public service in San Diego. One may infer that this "inability" to act in the cited case is partly a result of the feeling that it would be "politically inexpedient" to act in this type of case at a time when the police service is generally under attack from critics of its policies and procedures.

A prominent official comments that he "definitely" believes that San Diego could use another newspaper, for competition would spur more aggressive reporting. "Who knows what might be found out by a reporter poking his nose around in the ashes!" He indicates that while he does not know of any difficulties existing in the Police Department, a good newspaper reporter could undoubtedly either verify his belief or bring to light evidence of "hanky-panky" in city government. A radio station employee says that his station has criticized certain police actions and it lost advertising because of this.

A number of the persons interviewed comment that the newspapers exaggerate violence in Negro areas and do not present the Negroes' perspective. Such a news policy, it is thought, tends to increase racial tensions. One comment is: "The press and other media, particularly on an editorial basis, have been too quick to publish things and exaggerate things, thereby adding fuel to the fire." Another individual offers the opinion that for a long time the newspapers never mentioned there was a "Negro problem"; now, in his opinion, they have gone to the other extreme. Another observer mentions a wild "beer bust" which took place in a Caucasian area; it was not reported in the newspapers, but if the incident had involved Negroes, she believes, it would have been "splashed all over the front pages." A lawyer states that he thinks that the newspapers over-exploited the post-Watts incident which occurred in Logan Heights. He believes that it was,

. . . very dangerous to take such an incident and to blow it up in the papers as being a riot, for such an action might eventually produce a self-fulfilling prophecy. Furthermore, at the time of the August incident it was almost a matter of civic pride that San Diego could boast that it had a riot of the size of Watts. In my opinion, the incident in Logan Heights was very mild in comparison to Watts, and it involved essentially troublemakers who had been in and out of trouble with the law for quite some time. It was not anything of great significance.

A judge expresses his belief that the ethnic-minority problem which exists in San Diego stems from "too much publicity to incidents like Watts" and other civil rights disturbances across the country, for "these people" will try to copy what somebody else is doing. If the papers would cooperate with the Police Department and not publicize Negro disturbances outside San Diego, he thinks that there would be not riot danger in the Negro area of Logan Heights. Another judge presents a similar view when he states that deliberate coverage of every eruption throughout the country tends to promote outbreaks in communities like San Diego over "imagined wrongs."

Some criticism of the press is made for not involving itself in a positive attempt to improve police-community relations. One observer thinks that the press is content to report meetings of the Community Liason Unit and to

praise the Volunteer Parents organization.² Several remark that they do not think the newspapers are fulfilling their public responsibility to improve communication and dialogue between community groups.

9. Supreme Court Decisions

The judges and lawyers in San Diego generally support the recent Supreme Court decisions regarding police interrogation. Most emphasize, however, that it is a complex issue and that the decisions have mixed benefits. The tone of many of the comments is that the decisions are necessary to counteract police abuses in the past. As one explained, the police departments "have no one to blame but themselves." He notes:

Cases have been coming up to the Supreme Court for decades showing abuses by police forces and policemen across the country - third degree, prisoners being beaten, confessions that were extorted out of individuals. There was a wide variety of abuses of individuals' rights to due process. . . . The Supreme Court in all those years was reluctant to get involved in this squabble, except in a few minor areas . . .

A lawyer states that he is very much in favor of the decisions, for they curb practices that needed control long before. Another lawyer expresses support but explains some of his reservations. He poses the problem in this manner:

. . .the decisions indicate an imbalance. The problem is to give the accused full protection of his rights yet give society its protection against criminal elements. I take full cognizance of the fact that there is a good deal of crime on the streets. The difficulty is that police officers were abusing the rights of the accused and I would prefer to see some system by which it was possible to hit the police officer directly. I feel that the Supreme Court has taken really the only practical course available to it - namely that the evidence that the police obtained would have to be held inadmissible in court and thereby discourage officers from abusing the rights of the accused. I still resent the fact that this has to be done, for it impairs the right of society generally to be secure itself.

Several judges comment that they do not think the decisions will hinder law enforcement. Federal agencies, for example, have high caliber personnel and they have worked within these restrictions for a long time. Some

² See Chapter 3.

judges do express the opinion that the decisions will "hamstring" local police departments, but they do not elaborate further. Some say that not all police departments will be able to afford competent policemen needed to conform effectively to the court rulings. Those who state that they are aware of investigative procedures of the San Diego Police Department do not believe that it will need to make any changes.

A number of judges and lawyers criticize police departments for "belly-aching" about the Supreme Court decisions, and they think police should stop complaining, accept the rulings, and do their job. Some in the legal community support the need for the changes required by the Dorado decision but think that Miranda goes too far.

10. Negro Policemen

Of the comments about Negro policemen made by observers from the white community, most state a belief that their presence improves police-community relations. A lawyer states that the San Diego Police Department has a high percentage of Negro officers and that the Negro community is therefore satisfied with the Department. A local government official thinks that a "public relations dragnet" for good young Negro athletes should be made to train them as policemen: "They don't necessarily make the best high school administrators, but I think they make fine policemen." His attitude may be representative of the basic misunderstanding many Caucasians have about minorities and the "Negro problem." A woman active in civil rights thinks that Negro policemen are well received by the Negro community, provided they do not over-assert their authority.

A social action agency official believes that Negro officers are not as fully accepted by Negroes as are Caucasian officers:

It would depend on this. I think . . . very often, the Negroes resent the Negro patrolman too, because he is viewed as the sell-out, he has become the sellout. So, you know you are damned if you do, and damned if you don't. I mean, none of these things is easy. . . .

Few of the persons interviewed in the general community demonstrate that they have thought about this matter at all. For the most part, however, they manifest the view that the assignment of Negroes to police duties would "naturally" have an effect upon improved relationships with the Negro community. To them, there is a cause-effect relationship.

11. Traffic Enforcement ³

The white middle-class citizens interviewed have little first-hand knowledge of the San Diego Police Department's enforcement activities, except in the area of traffic contacts. While most have favorable opinions of the Police Department as a whole, traffic enforcement is singled out for consistently unfavorable comment. The consensus is that too many traffic citations are being issued and that the motive for this is revenue rather than public safety. One prominent citizen states that the San Diego Police Department is "corruption-free, tough, well-disciplined, and obsessive regarding traffic control." Another states that he has received a citation "for going forty-five in a thirty-five zone at four o'clock in the morning, which is ridiculous, absolutely, and I went to the Police Chief and I got the ticket canceled."

One judge who was interviewed states: "The big problem in terms of police in San Diego is writing too many damned traffic tickets - particularly writing traffic tickets for tourists." One prominent citizen thinks that too many officers have been assigned to traffic matters; another comments that citations are written in situations where a warning would be more appropriate.

B. Communities of Ethnic Minority Groups

San Diego can be described as a city with two significant ethnic minority groups: the Negroes and the Mexican-Americans. Other ethnic minority groups are numerically too small to be considered as a part of this report. This section presents the individual and collective opinions of middle and lower socio-economic Negro and Mexican-American adults. Socio-economic position and "class" as used here are loosely defined terms to indicate a general level of educational attainment and/or occupational position. It is admitted that it is hard to generalize about any multifarious group of individuals. However, the single most striking feature of the relationship of

³ In order to insulate the research staff from volunteered information from dissident citizens, the living quarters of staff members were never made knowⁿ generally. An answering service was employed to accept calls to the staff. Despite this, a number of calls were placed long-distance to the School of Criminology at the University of California in Berkeley. All but one of these calls criticized the traffic enforcement policies of the Department. Some of the calls referred to criticism in other aspects of the Department as well.

ethnic minority groups with the police is the fact that it does represent a collective experience. Furthermore, the attitudes, the beliefs, and the behavior patterns do constitute a collective response to these life experiences. The same thing cannot be said about any major portion of the white middle-class community.

Another striking feature is that there is apparently no great conflict between these two principal minority groups, in spite of the fact that a significant number of Mexican-Americans share living conditions in the predominately Negro Logan Heights area. This area certainly cannot be called a ghetto in the normal, urban sense of the word, even though it is distinctly different from the rest of the city. In living styles and general social conditions, Logan Heights is more comparable to Watts than it is to North Philadelphia. The separateness of Logan Heights and the separateness of the lives of its residents - whether Negro or Mexican-American - result in the sharing of a collective response to contacts these people have with the police.

The attitudes expressed by a middle-class Negro resident are characteristic of those encountered. In his opinion, "Most of us have grown to anticipate the worse relationships when a policeman stops us; the average Negro feels threatened when stopped by a policeman." He added: "They take pride in being efficient; they use force to stop anything; people are afraid of them." An influential Negro summarizes a typical view of the San Diego Police Department as "a machine-like outfit programmed by the establishment." Both Negro and Mexican-American leaders indicate that the Police Department has been subservient to the most powerful elements in the community.

The feeling was widespread that there are a few "good, compassionate cops" who come to the ghetto and do a "good job." Many express sympathy towards the Police Department and indicate that some of the Negro resentment toward the police is triggered by other frustrations. However, the incidence of Negroes who speak positively concerning the San Diego Police Department is minimal. The dominant negative feeling is not affected by class or social position.

It should be pointed out, however, that the collective attitude is not so much "anti-police" as it is resentment over certain "local" practices. Of the many persons interviewed in the minority group communities who are critical of the police, not one expresses even a theoretical interest in abandoning the police as a social institution. The universal importance of the police function is recognized and defended. Persons were incredulous when asked if they were "in favor of doing away with the police." All - even teenage minority group boys who had constant conflict with the police - are unwilling to accept the thesis that society could dispense with its police. This universality, therefore, helps to place the problem in focus, to give it something of its proper dimensions. Even the most vocal critic

of the police, therefore, is talking about reform rather than abolition.

The problem of proximity to Mexico poses a rather difficult situation for the San Diego Police Department. Most of the Mexican-American people in the area tend not to make a distinction between the Police Department and the various law enforcement agencies involved with immigration. To many Mexican-Americans the "oficial" who embarrasses him by constantly soliciting proof of citizenship, and the San Diego police officer who calls him "Pancho" before requesting identification are "oficiales" of the same establishment. This situation is certainly not clarified by the San Diego police officer who, while conducting a field interrogation, issuing a traffic citation, or stopping a Mexican-American - for whatever reason - also asks for proof of citizenship.

The aura of authority which the policeman has is reputed to increase the apprehensiveness of the Mexican-American - especially if he is a recent citizen. The nature of the discomfort is more intense for the naturalized citizen of Mexican ancestry. Not completely aware of his full citizenship, he is very much afraid that it might still be pending or that he might need longer residence to complete citizenship requirements. One man says it this way: "You may have barely passed the test; therefore, everytime you are stopped and questioned about your citizenship you feel that you are going to be asked to recall who was the eighth American president."

1. The "Negro Problem" and the Indigenous Leadership

Negroes scoff at the tendency of whites to look upon community relations matters and social issues as the "Negro problem"; rather, they believe a major part of the problem is the unwillingness of whites to see their own involvement. They ridicule attempts by agencies and city government departments to "locate" Negro or Mexican leaders. Many see these attempts by selected officers in the Police Department and other departments of city government, not so much as gestures of "good will" or indications of sincere attempts to obtain long-term solutions, but rather as bungling and naive indications that city officials actually have no valid concept of "the problem." Direct or furtive attempts to find "leaders" is often viewed as a signal that the white community continues to stereotype both Negroes and Mexicans. Furthermore, many of the more sophisticated minority group persons believe that American political history is essentially the history of the power structure co-opting the most effective minority spokesmen. Persons with this view "are convinced" that one of the better known Negro "spokesmen" is actually being secretly paid by the city government of the Police Department.⁴

⁴ That this view has at least some credence is verified by the fact

2. The Post-Watts Incident in Logan Heights

The Negro community is generally critical of the Police Department's role in the post-Watts incident in Logan Heights in August, 1965. The following criticisms are given: 1) the excessive show of force was unwarranted, for the situation was not dangerous; 2) the show of force could have precipitated a full-scale riot; 3) police officers had a "field day" abusing the law-abiding residents in the area.

The physical presence of the police in the area made a vivid impression on some of the observers. One agency representative recalls seeing only "a small incident on Sunday evening," but the police were in evidence everywhere. Imperial Avenue, between 29th and 31st Streets, was completely blocked off. There were two to five patrol cars per block and approximately four policemen to a car, each sitting with his rifle barrel visible outside the window of the vehicle. Several foot patrolmen were marching back and forth. A minister comments:

Of course, it reminded me of the army tactics and reminded me, of course, of what is going on in Vietnam, and I hadn't seen this before in police work. There were police officers on roofs of buildings and so forth. It was kind of like a nightmare. . . .

He continues by saying:

The Negroes had a very hard time understanding why all of this force was used. I have the feeling today . . . that the Police Department's answer to the problem is to move in with as much force as possible, and to quell whatever happens using any method that it takes. I think this divides the Police Department and the Negro community.

A representative of a social welfare agency thinks that the show of force was "too massive" and "not called for." He believes that the Negro community's reaction to it is "very negative" and that they find it "very frustrating." Many of the Negroes interviewed state that if a riot had occurred, the police would have been responsible for starting it. Most Negro adults who were interviewed and had knowledge of the matter, were critical of police behavior during the two days. An attorney observes that:

that a former police official admitted that he had made two "nominal" payments to the Negro in question in order to gain his "support."

. . . the probability of a riot at the time was not very high. Therefore, the show of force by the Police Department did not prevent a riot. Instead, the show of force increased friction where there was no present danger. . . . It was the community's opinion that the few incidents which did occur could have been quelled without such a show of force. The show of force was excessive, unnecessary, intimidating, and frightening.

The view of a woman who is active in several Negro organizations is that the incident in Logan Heights could not be termed a riot, but if an actual riot had developed, one of the causes would have been the Police Department's presence and tactics. She claims that she has heard of complaints from several neighbors of "mishandling, of people being pushed and shoved into police cars, and of verbal mistreatment." It is her opinion that the police tactics were wrong. Their mere presence in Logan Heights was an irritant to the people.

Another person active in Logan Heights affairs comments that the show of force at the post-Watts incident was "a mistake" and could have triggered bigger incidents and an actual riot. A civil rights leader states his opinion that the police acted "as if they wanted something to happen." A businessman in the area holds a similar view and explains that the Negro community believed the police were "trying to start something" more than they were trying to control it.

3. Police Discrimination

Negroes and Mexican-Americans in Southeast San Diego, and Mexican-Americans in the San Ysidro area just north of the international border, think - almost without exception - that they are the victims of differential treatment. A middle-class resident pleads: "When are they going to start treating people on the streets in our area the way they treat people in other areas?" A respected clergyman remarks:

You can't straighten them [the police] out by running them through the Police Academy and exposing them to a few hours of lectures on human relations and the equality and dignity of the races. You know that all his life he [the policeman] has been taught that equality and dignity of the individual has primary reference to the white individual, and that the individual of the minority group is not really part of humanity in the broad sense. He [the minority person] is sub-human, in a sub-culture.

Others question whether a police officer could, in fact, ever become professional to the extent of suppressing his prejudices while on duty.

Many Negro leaders who claim they frequently receive special favors from the police, such as having traffic tickets withdrawn, describe, with a sense of shock, the difference in treatment they receive when they are dressed according to white middle-class standards. One Negro professional thinks that the only time policemen show him "respect" is when they know his name and his position in the community. Another professional is "convinced" that there are two types of discrimination practiced by the police in San Diego. One is based upon "class," for instance, the known Negro middle-class person is accorded preferential treatment. The other type is more prevalent, and this is based upon race or ethnic background.

A youth worker states emphatically that there is police discrimination in San Diego - that the police enforce the law one way in the "Anglo" neighborhood and quite a different way in Logan Heights and San Ysidro. He realizes that there is a gap between policy and practice and states he knows police personnel:

. . . are not to verbally or physically abuse people and that there is a training program on community and race relations. . . . However, this policy is not being implemented by the Police Department and what they needed was to improve their control in the Department in order to insure that patrolmen out policing are doing what they are supposed to be doing.

The existence of differential standards of enforcement is a source of constant irritation in the minority group communities. An attorney recalls a case in which a Negro client had been convicted for "gambling." The police, as he describes it, entered the client's house and arrested him and others present, while they were playing a "friendly poker game." The lawyer argues that the police do not barge into friendly poker games in La Jolla and Claremont. He sees the case as only one example of a situation in which conduct that is condoned in the white neighborhoods is not condoned or permitted in the Negro neighborhoods. The main problem, as seen by another attorney, is that there are "two standards of police conduct" - one for the white and one for the Negro communities. As an example, he explains that in the Logan Heights area, if a policeman knocks on a door and receives no immediate response, even though he may hear someone inside, he would kick the door down and enter. Yet, police officers in La Jolla go to the back door when they are on official business; in Logan Heights this would not even enter the policeman's mind. He views field interrogation as the focal point of the unequal treatment of minorities by the police, and it is the area which most strains police-community relations. He concludes with a statement that a county cannot lay claim to being a democracy when such a large portion of its population is being discriminated against and being denied its full rights.

A youth worker also holds the opinion that low income is at the root of police discrimination. "Dope peddling" and moon-shining will always be

present in a poverty community, and poor people are constantly going to have contact with the police. He adds that it is not just a matter of the people hating the law, for the reciprocal is also true, that is, the law hates the people.

A woman who is active in civil rights thinks that there "is definitely unequal enforcement" and that because of this discrimination, minorities distrust the police. She knows of several Negro women who have been annoyed by police officers who have followed them while they were together in one automobile. A clergyman relates the following example of what he interprets as police discrimination:

I received a report from a Negro that the person was attempting to receive a service from the Department. And she was quizzed as to whether she was a member of CORE. Well, we thought this to be a practice that needs to be investigated. And if one person was quizzed along these lines, why, we thought this was probably being done to many persons. And, of course, whether or not a person belongs to a civil rights organization certainly has no bearing on his getting service from the Department. So I talked to the Chief about this, quizzed him on it, or at least gave him what I felt was the problem, and we discussed this. He stated he would find out if it was going on and that he would take some action and stop it if it was happening.

A Mexican-American civic leader believes that there is differential treatment of minority group persons. He states that he has been stopped and questioned by the police several times. Once, when issuing a traffic ticket to him, an officer said, "Don't compare us [San Diego Police Department] to Tijuana." He thinks the area of police prerogative is "certainly too wide" and that it tends to lend itself to frequent prejudices against Mexican-Americans. Another Mexican-American relates that "there are still policemen on the force who are looking for a chance to provoke," and he describes how one college-age minority person had been stopped and questioned for a long period of time over a loose taillight connection. He concluded, ". . . and the cop was just looking for the boy to do something or say something so he could lay him out."

A dominant belief in the minority communities is that the Police Department is an agency devised to "protect the white population from Negroes and Mexican-Americans." They are convinced that there is inequity in the services to the community. A minister comments that "law enforcement means a white man, even though the Negro is dispensing it."

A majority of the residents of Southeast San Diego felt that their community is used as a "training post" for the Police Department. They indicate

that the "strange young faces of rookie 'cops' are much in evidence." Many add that the rookie officer can practice in this area because his mistakes will not affect people with influence in City Hall. Others believe that the ghetto is being used as a place to discipline officers banished from other areas. "They come to serve their exile here," many remark. Another group of ghetto residents is sure that there are "headbusters" in the Department who enjoy working in the Southeast because "this is where the action is."

4. Police Brutality

In various other portions of this report the matter of "police brutality" will be discussed. Briefly, the varying interpretations which are placed upon the term are part of the dimension of the problem. In its broadest sense, however, police brutality is considered by ethnic minorities to be a problem in the San Diego area. It should be made clear, however, that there are limited allegations of physical violence or brutality leveled at the San Diego Police Department. In spite of the belief among minority group persons that the Department relies too much upon "force," this does not include the opinion that the Department practices "man-to-man" brutality. Furthermore, minority group persons spontaneously volunteer the information that "brutality" in San Diego does not necessarily include physical violence.

Concerning other types of brutality, however, the dominant opinion of minority groups is that police officers are guilty of these practices. Language, gesture, attitude, approach - these constitute much of the characterization of brutality in San Diego. Many persons complain of the fact that Negro youths are often called "nigger" by policemen. The very manner in which Negroes are approached by policemen is considered to be a manifestation of the brutality "syndrome." Some persons complain that they have often seen policemen with their hands already on the butts of their revolvers as they approach Negroes in the city.

Furthermore, the tactical deployment of policemen in the Logan Heights area is considered by many to be an implicit sign of police hostility and brutality directed toward minority group persons. Complaint after complaint is voiced about the "over-saturation" of Logan Heights with patrolmen, and it is often joined with references to the Police Department's obvious reliance upon a "show of force." As expressed by one active Logan Heights resident:

The Police Department has as its answer to problems today a show of power or force, such as large numbers of police, saturated policing, the use of tear gas and nightsticks. The police are not seen here as dedicated to understanding the problems of minority communities. . . .

Consistently, this police policy is interpreted as a "display of hostility toward Negroes," and a chief source of difficulty.

Correctly or incorrectly, minority group residents and persons active in the community have their own interpretation of police tactics. One feels that this tactic is used in Logan Heights and not used elsewhere in the city for a particular reason:

Those people out there in Mission Beach aren't ready to explode, and the police know this; while whenever they go into a situation in Logan Heights, they go in like it's a matter of life and death - which it may be, for them. . . .

Another enlarges upon the concept of "police fear" and gives his insight, as follows:

Don't you think, really, that this is part of a fear, a complex, on the part of the police community? The reason they use a lot of force, I think, in minority communities is because they know there is a lot of justification in a minority community to, you know, for being resentful; and if . . . you keep badgering someone and keep him oppressed and so forth . . . then, when he does something and you move in to try to correct him, you would be a little fearful, because this guy . . . you know in your mind, if they ever retaliate to the point that you would almost expect them to, that you are in trouble. This is the same thing we get when Negroes have meetings, you know. There is a reaction in the white community when the Negroes meet, because there is what I think is a kind of hidden, almost subconscious, inner feeling that, "Man, if these guys get together against me," which you almost expect them to do because you've been against them all these years, "Now if they ever get together, if these Negroes ever get together on us white people, there's no telling what they might do." And I think that's the fear. . . .

5. Field Interrogation

The system of field interrogation is universally resented in the minority community and it is a major source of irritation and hostility. In the very least it is viewed as an inconvenience and an indignity; more extreme views characterize the practice as discriminatory and harassing. Many of the articulate middle-class persons from the minority communities recognize the necessity of stopping suspicious persons, but they also believe that great care must be used in both selecting those for interrogation and the manner in which it is carried out. One aspect of the discriminatory component of field interrogation is characterized, as follows:

There are many documented instances of the use of unnecessary force and undue harassment, which increases the sensitivity and frustration of all minority persons. However, many white persons think the same way and constantly are stopped and interrogated by the police. While many people feel the police are harsh and ascribe to them unfair practices which may be unjustified, it is nonetheless the feeling of the minorities that these practices exist. . . . Furthermore, Negroes and Mexicans are always approached in a much more hostile and belligerent manner than Caucasians, regardless of station in life.

Both Negroes and Mexican-Americans complain about being stopped and questioned with great frequency. They indicate that race and national origin are more widely used as a basis upon which to stop or arrest a suspect than the serious attempt to match a description. As one Mexican-American states: ". . . just because your face is brown and you are wearing tennis shoes, you are subject to arrest whenever a 'Mexican' commits a crime."

Resentment over field interrogations in the minority communities is focused upon two aspects of the practice: the frequency or regularity with which people are stopped and the attitude of the officer at the time of the initial contact and throughout the procedure. One lower-class Negro explains his resentment in the following words:

When they stop everybody, they say, well, they haven't seen you around, you know, they want to get to know your name, and all this. I can see them stopping you one time, but the same police stopping you every other day, and asking you the same old question. . . . He might stop me today, and then another policeman stop me tomorrow, he's got me, and the next day, the same old thing around the clock, the same one.

Another lower-class Negro makes a similar comment:

You know, I'm walking down the street, minding my own business, going someplace, you know, and they stop me, and I say, "What you want with me?" and they say, "Come here!" and they want to talk to me, and I don't want to talk to them, you know. They just want to get to know you and all of that stuff, and I don't want to know them at all, you know.

Concerning the attitude of the officer, resentment is focused upon the prejudice and the paternalism which is considered implicit in the practice of field interrogations. A Mexican-American social action leader summarizes one reason for resentment among middle-class minority persons:

I think that another show of force is a policeman stopping me on a street and saying, "Hey, amigo!" You know. That guy's going to

give me a ticket! I'm not his friend, you know! And he doesn't have to show me that he knows a word or two of Spanish! You know . . . it's a condescending type of thing. . . .

A middle-class Negro distinguishes carefully between overt behavior on the part of the officers and the attitudes which have negative implications for many minority persons who are stopped.

It's not the allegation per se, not the behavior or the act that the minority is particularly objecting to. It's the attitude toward them, in all of these cases. They will say, time and time again, "If he'd [the policeman] just listen and try to understand it. I could understand his position, but he won't even listen to me." And some of them put in nasty words, the officers. Nasty words, profanity, it's no different. The pattern is that it's a lack of respect and dignity and acceptance of another person. This is the whole thing in a nutshell.

Many times during this study, members of the research staff encountered some middle-class minority group persons who mentioned they are personally subjected to field interrogations only when they are "outside" Logan Heights, driving or walking in other sections of the City. Their resentment was evident as they asked research staff members, "Why is it the only time I am stopped is when I am visiting white friends in La Jolla? Isn't it strange then that I should get the idea that the policeman wants me to stay in Logan Heights, where he thinks I belong?" Other middle-class minority persons are indignant about such tactics, but they have also been stopped in minority areas and their comments, therefore, encompass both aspects of field interrogations.

6. Youth Problems

Many individuals in the Negro community express the opinion that the police discriminate against youth - and particularly against Negro youth.

The field interrogation is thought to be used in excess against youth and it is seen as harassment. A minister relates an incident in which a Negro teenager was walking home:

. . . a police car stopped and asked him where he was going and where he was coming from. The boy did not answer quickly enough, and the policeman searched him, made him put his hands up, and checked his arms for needle marks for drugs. The whole procedure was intimidating, one which comprised an actual shakedown.

Another adult states that the biggest complaint of Negroes is "harassment" - "especially on the stop-and-frisk procedures directed toward teenagers for no apparent reason." According to this observer, there is "verbal brutality," such as derogatory name-calling. In upper middle-class Caucasian areas of the City, teenagers are not stopped as frequently as in Logan Heights. Whenever incidents do occur involving teenagers in the white areas, an attempt is made to handle them quietly without sending the child to Juvenile Hall.

A recreation leader states that he frequently sees minority youths in the Logan Heights area in the "spread-eagle" position - with their hands on the roof of the police car, their legs spread apart and a police officer "shaking them down." He remarks that he is certain this occurs "very, very seldom" in the predominantly white neighborhoods of San Diego. A case which happened three years ago, involving forty Caucasian upper middle-class youths using narcotics, is remembered by a minister. He claims there was no publicity and the children were taken home to their parents rather than to police headquarters. This, he thinks, is another example of "the differential enforcement which exists" in San Diego.

A member of several Negro organizations expresses her belief that policemen automatically assume there is trouble when they see a crowd of teenagers. She also believes that the curfew ordinance for all juveniles is unequally enforced. A Community Action Council member also thinks that the curfew is more strictly enforced against minorities and that when policemen see a group of Negro teenagers, they immediately assume they are up to no good.

A civil rights worker states his opinion that the police do tend to enforce the law strictly against both Negro and Caucasian youths:

. . . well, they do go in with shows of force in all neighborhoods where teenagers are having riots or beer busts or parties. The basic difference, however, is they may bust a Negro or Mexican-American's head with a little more joy. But they do go in with shows of force. For example, I know that in Lemon Grove they closed a place down altogether where the teenagers were having dances. They just closed it down altogether.

Another civic leader emphasizes that although the Police Department follows a rigid enforcement policy in dealing with all youth, the approaches and procedures vary according to the youngster's ethnic background.

In La Jolla and Point Loma, these all-white areas, there is as much intensity of feeling on the part of juveniles against police officers as there is in the Negro. It isn't expressed as often, it isn't on the surface in terms of the public media as often, but the Police Department is aware of it. They don't respond to it in the same fashion - that this is part of the business of the Negro minority thing. . . .

The Negro youth, however, particularly resents the police, for in his view he is being discriminated against on two counts: because he is a juvenile and because he is Negro.

The police do not respect Negro juveniles as human beings; he is picked up if he has a beard, picked up if he has the wrong clothing on, picked up if he's a "beatnik," and picked up if he's out after curfew hours without a chance to explain or give a reason; if he has a motorcycle, he is likely to be stopped. This is the way they [Negro juveniles] express it, that they are not treated as human beings.

Both Negro and Mexican-American juveniles expressed resentment not only about "police harassment," but also about the fact that they could seldom if ever, get their parents to process their complaints. These youngsters state that it is useless to complain to their parents about police action, because their "parents are afraid to do anything." Consequently, teenagers must go to others in the community to make their complaints known: to teachers, ministers, civil rights leaders, recreation directors, etc. The average minority group person feels "powerless," but the minority group juvenile feels particularly helpless and angry.

7. Police Complaint Procedure and a Police Review Board

Frustration and resentment are the attitudes of the minority community in relation to effective redress of grievances against the Police Department. Few members of the minority community feel that they would receive a fair hearing upon presentation of a complaint against a police officer. Many believe that it is futile to attempt to change complaint procedures; they think that the cultural patterns existing today dictate the nature of the Police Department.

The minority community is virtually unanimous in its criticism of existing complaint procedures in the Police Department. Repeatedly the view is expressed that the police do not conscientiously and objectively listen to complaints. The dominant belief is that once a complaint is submitted "one never hears about it again." There is an attitude of "why complain?" when nothing will result. A member of several civil rights organizations comments that:

The police force is on the defensive and it does not have an open mind. . . . It is incumbent upon the power structure to recognize that some of these complaints are valid and that they should be processed and investigated.

According to a representative of a local race relations organization, complaints are processed as a "token" gesture, but the Police Department

holds preconceived ideas about them and are neither objective nor fair in their investigations. This person does express hope, however, that the situation may change due to the recent appointment of the head of the community relations unit. An Urban League member does not believe the police make a "complete investigation" of complaints; she has never heard of a dismissal of a policeman because of a public complaint. A poverty program worker states that he does not think a lower-class person would receive fair treatment in complaining to the Department about police procedures. A minister who had registered a complaint mentions that nothing ultimately was done, insofar as discipline was concerned.

The head of the Community Liason Unit, according to the view of a Negro minister, cannot do "too much to improve the complaint procedure, for he does not have any authority other than to make out a report or take a statement." The minister continues with the comment that people do have complaints,

. . . yet say nothing about it because experience shows them that the police force ignores what is said. And this, I think, can be documented, because this is the attitude of many of the persons who have positions of authority in the community, elected as well as appointed.

Another minister believes that the police do not listen to complaints:

. . . yeah, I have a good idea of how they handle it. If this John Doe Negro from off the street complains about the police, I think that probably maybe it is received verbally. Maybe the officer took time to write it down, and that was it. It was probably thrown into the trashcan. . . .

A Negro boy states that he had been subjected to harassment by a policeman, and he had reported this incident to his parents who called the Police Chief's office to registrar a complaint. The officer who answered the telephone said that he would talk to the patrolman involved, but he did not call the family back as he had promised.

Because of their general belief that they have legitimate complaints which are not being acted upon fairly, many Negroes suspect the present system and think that some type of police review board should be inaugurated in San Diego. A representative of the Urban League believes that a review board is needed:

. . . because the establishment of such a board could communicate to the Negro masses that a fair hearing on a complaint is possible and that the submission of a complaint does mean something. It is very important to the Negro community that it realizes that there is a means of access for their complaints.

A poverty program official states that he is not pleased with the present complaint procedures.

. . . a rookie policeman has many superiors who have a vested interest in backing up the younger officer, for responsibility for acknowledged violations falls upon the superiors' shoulders as well. Therefore, investigations are not now either complete or fair, and an independent review board must be formed so that the public may be aware of the intent behind the acceptance of complaints. The board should have wide representation from the minority group areas . . .

An attorney expresses his view that an agency which is independent of the Police Department is needed because:

It's not possible to exercise any control over a Police Department without a civilian review committee. It is not possible for the police to take care of complaints within the Police Department.

Another attorney thinks that there is a need for some type of citizen review board to protect the public against police abuses:

I basically believe in the American concept that authority and power rest in the people. If you have a Police Department that has the authority to make decisions and go out and make arrests without some element of the community to whom they have to account for their actions, sort of as a check and balance, this is where the error comes in on abuse of authority.

Lack of objectivity is a principal failure attributed to present complaint procedures. One person active in interracial affairs comments that:

Officers simply do not assume that the complainant has any basis for complaint. They [complainants] are, therefore, treated accordingly. . . . In San Diego, most officers, as elsewhere, give me the impression that they feel that anybody who questions anything they do is against them. . . . They feel prosecuted and persecuted, that they are really the target of our hostility. . . .

He states that in the past the police did not even listen to a complainant.

The actual practice was that if a complaint was made, it was not really processed or heard, it was not investigated all of the way, and the persons involved were never brought into any kind of dialogue or discussion. Nothing in the process was related back to him, in writing or in words. Rather, many were insulted, told that they had no right to question; many were . . . insulted right in their own homes.

A teenage member of a Negro "gang" in San Diego sums up the dominant view of the Negro community - lower and middle class - when he states, "Down here they ain't really no use in complaining about nothing."

A Mexican-American leader volunteers that it would be helpful if people could at least receive a reply by mail indicating the disposition of their complaint. "They would know that the Department is concerned and that their complaint was not thrown in the wastebasket," he added.

Concerning the Mexican-American community, there is a tendency on the part of police officials to view this ethnic minority in a friendlier way than they view the Negro community. Generally, there is a tendency for the police to see the Negro as the "outspoken" group and the Mexican-Americans as more "civil." Many Mexican-American persons contacted are aware of this attitude on the part of the police, and almost universally they believe the police are guilty of a major and incorrect assessment of contemporary moods. On many occasions, the Mexican-American fear of participation is cited as the reason for his illusory passivity. One social leader explains the situation in the following terms:

I'll say that the typical reaction of the Mexican-American community is to absolutely do nothing and mumble among ourselves and be angry and say, "Those doggoned policemen, they don't understand," and so forth. Again, on a hypothetical thing, if we could really raise cain, then you might be able to move something. But again the police react with force and I think the Mexican-American community, at least in San Diego, reacts kind of passively.

Another Mexican-American believes that they are shortchanged in many other areas. He emphasizes that silence is mistaken as an indication that there are no problems, but explains that the Mexican-American person usually fears reprisal if he were to attempt to complain against a police officer.

Some civil rights workers think that the responsibility and blame should not be placed on the beat patrolman. One volunteers:

It seems to me a solution is that the man who heads up the thing stamps his character on the force. The image I have gotten of the Chief is that he is a man who operates a machine, and nothing more.

8. The Mass Media.

The Negro middle class tends to agree that the San Diego newspapers distort and exaggerate incidents involving members of minority groups. A dominant view is that the newspapers look for riot news and that they deliberately

exploit every incident in Logan Heights. Several cite the example of the post-Watts incident in Logan Heights which "wasn't that big, but the newspapers just splashed it over the front page." A dominant view is that almost any kind of incident which occurs in Logan Heights is "blown all out of proportion," that relatively mild altercations are mushroomed into riots, and that any altercation with a police officer is given "first priority" in the newspapers. A youth leader recalls a case in which the beating of a juvenile officer was described on the front pages of the newspapers as a near riot. He emphasizes his belief that such reporting creates an attitude in the white community that Negroes are "violence prone" and "seething with violence." He adds that such accounts produce a peculiar problem for the policemen. Since they rely on the newspapers for much of their information, police obtain a distorted image of Negroes.

9. Negro Policemen

In contrast to the white community which tends to see Negro policemen as a factor improving police-community relations, a number of Negroes state that Negro officers are disliked more than white officers. A Negro woman who is active in civil rights recalls an incident which her Negro maid had mentioned to her. The maid reported that the Negro officer swaggered and blustered, but the white officer, who was his superior, was decent and dignified. She was impressed by this contrast. Some feel that it is difficult and almost impossible for a Negro to serve on the San Diego police force and also maintain his individuality, for the Negro officer is under pressure to conform if he wishes to receive an acceptable performance evaluation.

Some members of the Negro middle-class community, however, think that Negro policemen are a positive asset to police-community relations. They believe that the Police Department could improve relations with Negroes by recruiting and hiring more Negro officers. A Negro businessman feels that the average youth will give any policeman "a hard time, even jokingly," and while the Negro officer may understand this type of behavior, a Caucasian rarely does. He also states his belief that a Negro officer can handle a Negro youth better than a white officer can.

One lower-class Negro youth in a street interview presented his view of Negro policemen:

The police ain't right, definitely. I know this in my heart, the police is nothing, man, and I stay as far away from the police as I can. I stay as far away as I can, the Negro police and all of them. The Negroes are worse, man; he's a dog, man. You know, they kicked her in the stomach; this is my old lady, man. . . .

A minority representative states that whenever a Mexican-American joins the Police Force, there is much pressure in the Police Department for the officer to divorce himself from his cultural heritage. He does not feel that a Mexican-American officer has the same freedom of association as does an "Anglo" officer.

10. Traffic Enforcement

Traffic law enforcement in San Diego is viewed by members of the Negro community as discriminatory and disproportionate. The Negroes interviewed do not appear to make distinctions between traffic law enforcement and other police work. In other words, while white middle-class citizens frequently refer to traffic regulation in San Diego as overly strict and, possibly, improperly oriented, both lower- and middle-class Negroes focused their criticism on the alleged discriminatory features of traffic enforcement. While whites are inclined to treat traffic control as one poorly-directed part of an otherwise fine Police Department, Negroes do not appear to separate the traffic control function from other police activities.

It should be noted that proper maintenance of motor vehicles poses a greater problem to the poor than to others; consequently, traffic stops for violation of equipment maintenance laws are generally more frequent in depressed areas than in other parts of the community. At the same time, poor Negroes tend to interpret stops made for faulty equipment as evidence of discriminatory practices.

Since records of citations issued do not show either racial or income characteristics, it is difficult to obtain accurate information on enforcement ratios between minorities and the majority, and between poor and affluent persons.

C. The Communities of the Young

There are segments of the juvenile population who have little or no contact with the municipal police force and for whom the relationship, if experienced, is either neutral or positive. The views of this group have not been purposely excluded from this study. Rather, such views are rare among the juveniles who have been interviewed because of the necessity of concentrating upon that group of juveniles wherein we know a problem with public authority exists.

This concentration is greatest among the Negro youth in San Diego, although views of white youths were also solicited for representative and comparative purposes. In general, the problem areas of youth do not vary as a function of race among those who experience negative relations with the police. Curfew, field interrogation, traffic, surveillance and arrest are

areas of police-juvenile relationships which are commented upon by all youth, regardless of race or socio-economic background. However, the underlying motives of the police in these relations are perceived differently by Negro and white youths. To emphasize this distinct perception, the views of Negro and white youths have been presented separately to convey the essence of the racial factor.

1. White Middle-class Youth

The white middle-class youth interviewed believe that there is tight police surveillance in predominately white La Jolla, but that in some respects police supervision is even greater in Logan Heights. As an example of strict enforcement, a youth comments about police contacts with motorcyclists:

When you have a bike, they just pull over for no reason. So many little things . . . you have to have a horn, you have to have a baffle, and your handlebars have to be so high and no higher. . . .

Another youth volunteers:

Me and this other guy, we were playing baseball down there [in a park], just hitting the ball, for about thirty yards, and this guy almost got thrown in jail three times for it, but then the minute somebody who is older, about thirty or forty years old, plays there, it's okay. But if kids play there, with nobody on the whole lot, you can get thrown in jail for it. And here it is, a city park, and there is not one person on the lot, and the guy hits a few ground balls, and they catch him and you can go to jail for it.

The racial element is introduced by another youth:

I'd say if you have a motorcycle in La Jolla, you might as well have black skin in Logan Heights.

The practice of racial discrimination by police in the area of curfew is thought to be more strict in Logan Heights than in La Jolla:

There are not as many people questioned as far as curfew goes in La Jolla, I don't believe, as there are in Logan Heights, because they use this as a guise for stopping persons on the street in Logan Heights after ten o'clock at night, anyone, anyone, regardless of whether they look eighteen or not. And Negroes do look younger than their years, most of them.

Another youth perceives this difference as follows:

If I was to walk down the street of downtown La Jolla and spit on the sidewalk with the policeman parked by the curb, he probably wouldn't do anything. If I walked down the streets in Logan Heights, with a black skin, and spit on the sidewalk down there, you'd be on your way to jail.

The field interrogation is used in La Jolla and is viewed as "harassment" by some youths:

Well, I've noticed that they've been pretty petty, picayunish. A prime example - I was hitchhiking to work at 7:15 in the morning, which isn't unreasonable, and I was down in Pacific Beach, and I was standing there hitchhiking and was dressed neatly to go to work, and a policeman came on over, wants to know what I'm doing. And naturally I told him I'm hitchhiking to work, and I got twenty minutes to make it all the way down in San Diego. And I'd appreciate it if he could just, you know, go along and take care of somebody else, because I'm not breaking any laws and I want to get to work. He says, "No, I can't do that; I've got to know everybody that's on my beat." And so he proceeded to check my identification, where I lived and what not, what I did for an occupation. And this took ten or fifteen minutes. Finally I persuaded him that . . . to take off so I could get to work, and he says, "Well, I'm sorry to keep you delayed all this time. I've got to know who is in my area, district, and what to look out for," and all this. And I didn't appreciate it, because I ended up being about twenty minutes late for work, and my employer didn't appreciate it.

Some middle-class youths have a strong dislike for the police. As one mentions, "I hate cops more than I hate anything in the whole world." Another views the police as "repulsive and petty." He justifies his opinion:

. . . because of some of the nasty things that I've been through. Things like curfew. I was once stopped and questioned by a police officer from 9:30 until ten minutes after ten. Ten o'clock curfew, ten minutes after ten, after talking to me for forty minutes. And I had no chance to leave him, and ten o'clock came around; he knew I couldn't get home in time, so he took me in.

The police are thought to have a "baby-sitting" role:

I think part of La Jolla's scene is . . . this Southern California way of living, where everything is going fast and very loose, and I think the adults of the community, the conservative Republicans leave the baby-sitting up to the police. Baby-sitting is part of the policeman's job, and enforcing curfew.

The youths say that they are aware of physical police brutality in San Diego. The police beat people, "like they did with one guy, Kevin, one night; they worked him over pretty bad before they took him into the police station." One of the other youths gives another example of brutality:

A friend of mine was up to this dance, and he was giving these guys some trouble . . . a woman's . . . at the YMCA, civic, so they took him over in the corner, and they bashed him over the head with their flashlights and they had to take him to the hospital afterwards to get his head sewn up.

What appears to most strongly differentiate the racial communities is the belief that the white middle-class community has considerable influence with the Police Department. The following comments indicate the belief that white parents can intervene to remove objectionable officers from La Jolla.

That's what's funny out there in La Jolla. As soon as a policeman gets notorious, he is not in La Jolla anymore, if you notice that. . . . If there are too many complaints by the parents and things. . . .

No similar comment was made to any research staff member about the ability of minority group parents being able to obtain the transfer of "objectionable" officers from the Logan Heights area.

The middle-class white youths interviewed indicate very strongly that traffic control in San Diego is slanted against teenagers, and they are particularly incensed over rigid control placed on motorcycles. Three youths express suspicions that the main motive for strict traffic law enforcement is revenue rather than public safety. One of the three states that the police are "more concerned with nabbing you as a violator than they are in protecting the public." Some other comments were:

They [San Diego Police Department] get paid double overtime for going to court.

They'd just as soon give you a bum ticket so you'll plead not guilty, so they can go to court and get their extra.

But each one of them [traffic officers] has their own little thing; they pick a certain group of people; a certain race, a certain person with a certain type of appearance, and they get their number of tickets off this one kind of person.

They make enough money off of tickets - fines - to pay for themselves.

One youth states that the police intentionally list additional traffic charges on a violator's citation in order to allow the court to drop some of the charges later in return for a guilty plea.

Teenage drivers, regardless of race, almost unanimously agree that the San Diego Police Department is "out to get" young drivers. Youths believe that warnings are in order on numerous occasions when citations have been issued instead. The concern is motivated by the prospect of paying increased insurance rates as a result of receiving traffic citations.

Virtually the only exceptions to the above consensus, is a small group of Negro middle-class youths who express the belief that people who received citations tend to blame officers in order to excuse their own misconduct. However, few members of this group have driven cars or have been stopped by the police.

2. Negro Youth

Many lower-class Negro youths believe that the police discriminate against them. One youth, who has been in jail about fourteen times - once for twenty-three days - but has never been convicted of any crime, states that:

. . . they [the police] don't handle themselves well when they arrest the Negro race, and the way they stop them on the street and take them to jail just for suspicion.

Another mentions that verbal harassment in the form of derogatory statements is practiced by the police; he has been addressed, "Come here, you little ol' black-ass nigger." There is a feeling among some of the youth that the police are "out to get" them. As one states:

. . . like if a police pass you, and he be starin' at you, and you stare back, that's what gives way for them to say that, you know, you give them a dirty look. But this happen to me all the time, that maybe standin' like I'm up to something, so I stare back, they turn on the light in the back, drive their cars around, drive over there, "C'mere. Stand up here. What you got on you?" Pattin' you all down - for what, I don't know. I've "looked suspicious," you know, the way I've walked, swing my arms, stuff like that.

A similar view is expressed by another young Negro.

I mean, they will stop you for hardly nothin', you know. Like last night some cats broke a few windows down here, and I was walkin', I just came from my broad's, there, walkin' down that

way, and they smashed me all up against the wall, and they, you know, tell me, "Why you bust them windows?" and I say, "I had nothing to do with it; I didn't even know they were busted 'til I walked by." And he tell me, "You a damn liar. I ought to throw your ass in jail." I say, "Wait a minute, I can't stand to go to jail; I just got out, man, not too long ago." And he say, "I don't give a damn, I'll throw your ass back in there." I mean, they gonna try to bust you for any reason at all, you know. They had a beef or somethin'; but if they get me again, it gonna be for somethin' . . . I know, 'cause there ain't no sense in goin' to jail, spendin', oh, two-three years time for somethin' you ain't had nothin' to do with, you know.

The field interrogation is seen by some youths as an attempt by the police to frighten juveniles.

When they stop you, everytime they stop you, one'll go and stick his hand on his gun, you know; and you know that little buckle they have, they unpop that buckle, stick their hand on their gun. I mean, man, if you ain't scared what's gonna happen, they get pretty mad, you know, everytime they start in like you some kind of damn liar, man, like everytime you see something you gonna charge them and try to kill them, you know. I mean, ssshit! Hell, like . . .

Sometimes juveniles show their resistance to perceived intimidation on the part of the police:

And he's talkin' about, "You goin' to git your ass home, or I'm gonna throw you in jail." So I said, "Well, I'm not goin' home, so just throw me in jail." So then he talkin' about, "No, no, better thing I'm gonna do - I'm gonna catch you on the street, I'm gonna whip your ass." And he chased me for two days after that, you know, trying to catch me. Everytime he see me, he whip a U right quick and I shoot through a alley or something and get away from him, you know.

and:

. . . yeah, like when the police here told me last night, "I don't know if you was in or not, but you tell your friends - if they your friends - if they get caught blowin' cocktails, I'm goin' to pop a cap on them." Well, then if I would have said, "Well, now tell your friends, the other officers, when they pop caps, we goin' to pop back," they probably would have jumped me, then.

Another youth comments:

Like, these cats [the police] say, "If I ever catch you off in a crowd or, you know, people fightin', or somethin' like that, I'm

goin' to shoot you; I'm goin' to stick some hot lead off your ass," you know, shit like that. That ain't nothin', man, 'cause I could get some lead, stick right off on their ass, you know. I mean, that's the way people goin' to start to feelin'.

The youths, however, do not think they can "win" ultimately. The one who makes the previous statement believes:

No . . . we could fight back, but . . . we ain't goin' to win. Because, look what they have - I mean, they have the whole United States on their side, you know; they could call in the Army, National Guard, anything they want to call on, you know; they could call them there and have them down here in a matter of hours, like, you know, up in L.A. But before they get down here, yeah, we might win the battle but we won't win the victory, you know what I mean?

The other youth states:

Like what happened in L.A., you know, up there - they were fightin' with . . . they didn't mind gettin' killed. I mean, up there I believe they was right, the Negroes up there was right, 'cause they just didn't care, they just kept . . . killing. A lot of them got killed, too, and the police got killed, 'cause what they was up there fightin' for, they was fightin' for right. They didn't mind gettin' shot, and all like that, 'cause they was fightin' for somethin' . . . like fightin' your way out of a fire, or somethin' like that. . . .

Two youths agree that greater respect for the Negro residents of Watts resulted from the riot:

Well, everybody else gettin' it - can't see why we shouldn't. I mean, if we pulled the same thing that Watts pulled, well, these police down here goin' to start takin' it easy on people, you know. I mean, they ain't goin' to be comin' up there, you know, and every time they see you; callin' you 'black boy,' and 'niggers,' and all this. They goin' to walk up to you like you somebody, you know. . . .

One view of the cause of Negro hostility, which is supported (elsewhere) by segments of the white community, is the Negroes' reaction to the civil rights situation in the South:

Well, like when people [Negroes] get shot and hung and all that, back in Mississippi, you know, things like that, well, yeah, people do get pretty high when they see you [the police] . . . when they see you, they probably throw bottles. Some man'll jump

on them [the white community], beat them up, somethin' like that. But, you know, they think they takin' revenge, you know, out on them hoakies [whites] back there by jumpin' on these out here.

Young police officers are thought by some to be offensive and to cause poor police-community relations.

Long time ago, they didn't call you that many "niggers," but since these little rookies comin' on, you know, they listen to these dudes [their training officers], they gonna hear all these wild fairy tales, they come down here with that, "We'll go down there and whip them black boys there," and all this bit, you know. Then they come down here. . . .

Negro officers are generally disliked, and when two Negro policemen are together, "they two time worser then." One youth mentions, however, that he was arrested the last time by a Negro and that he was "a all right dude." He limits his positive opinion, though: "That's the only blood [Negro] you gonna find that's all right, around here, almost." A youth recalls the following incident involving a Negro policeman:

. . . and we was at the beach, you know, there was me and my parents, and we was walkin', so . . . and he says, "Halt!" and the cat keep on walkin', and he ran down there and he grabbed me and sling . . . gonna turn me around, and he says, "Listen here, nigger," and he's just black as that telephone and he says, "Listen here, nigger, you don't be messin' with me - I'm pissed off. If you say another word to me I'll bust your skull." . . .

Negro youths reinforce the views of white youths who believe that Caucasians are treated differently than Negroes by the police. As one youth states in reference to the white residents of La Jolla:

. . . oh, yeah, they surely do, they treat them with respect, you know, what I mean? Like, if they stop a hoakie out there, they gonna walk up to the car, you know, "Good evening, sir," some shit like this, you know. "May I see your driver license," then he gonna give that dude in there a chance to explain: "Well, no, officer, I didn't make that turn like that. . . ." "All right, I'm going to give you a break," you know, or some bullshit. Down here, "No, man" - you know, yeah, people talk a little different, you know. . . but everytime we say something they think we gettin' smart, you know. "No, man, I make that turn right." "You're a damn liar. You say another word, I kick your ass," and all this bullshit, man. . . .

Negro youth perceive that news coverage is slanted against Negroes. Incidents in white neighborhoods are ignored while incidents of similar

proportions in Negro neighborhoods are exploited to the detriment of the Negro community.

Well, like you never hear on radio or TV or in the papers about how they fight the police out in La Jolla and all those places like that - it's always here. Around Thirtieth or at the Park - those two places are the only ones you hear about. In La Jolla, well, them hoakies get out there and they start in thumpin' with them police. I mean, they do it with them, too! And, yeah, you find a little article like this in the back, about three-four pages back, you know, "We had a little disturbance in La Jolla at such-and-such a place." But out here it don't happen, man - you got a front-page story, you know, and all this kind of bulljive, man. I mean, if they want to do work like that, man, shit, they just oughta take us and send us all up to Watts, you know. And shit, they treat them Negroes there [in Los Angeles] like dogs, anyway. . . .

The police are viewed as overly suspicious of a Negro in a white neighborhood. A youth who worked in a white area explains:

I mean, like when I had my other job at the hospital, I went to pick up my check one Friday 'cause I'm workin' on Friday night at this job. So I had to pick up a check, was walkin' back down to check the bus . . . the police see me crossing the street and we tryin' to get across, and he pull over to the side, and he told me, "Come here, show me some I.D." He wanted to know the hours I work out here, you know, when I come to work, how many I work, when I get off, what time my bus come about; he want to know all that.

Traffic enforcement is seen as another point of conflict with the police. The opinions on traffic, received from lower-class Negro youths in San Diego, are that citations are given by the police for harassment purposes. One person states that policemen deliberately harass Negro youths with past records by issuing unfounded traffic citations.

The men, lots of times, they don't get back at you that way; they just stop you driving a car; they find out you've got a car, and then they go around and give you a ticket for something; you know you ain't done nothing wrong, they just give you a ticket for anything.

Another person is quoted as follows: "There is a guy who is out to get his quota for the day; he's out to pinch someone for violating the law."

The procedure for filing complaints against police action is considered to be inadequate, and it is the general opinion that the police do not listen.

One youth says that he tried to register a complaint, but,

. . . it never did do no good, you know. They stopped me and they called me "little ol' black bastard," or "nigger," or something like this, you know. And then everytime they'd do it there'd be five or six of them right there, ready to jump on your head if you say anything. When they say it, you just can't do nothin' but take it, you know, unless you want to get jumped on and thrown in jail.

Some youths are disillusioned by the talk of improved police-community relations.

And these people are talkin' about doin' this thing, and gettin' this thing over here, and "better relationship with the police," and all . . . I mean, there ain't no sense in all that if everytime you go down to try to do something for them they just think you just gettin' scared with them and they'll just stop and mess with you more, you know. . . . You go in and have complaints, "Okay, we'll do something about this," you know, write it down like they . . . man, like they really goin' to do somethin', you know. "What's their badge number?" they write that down; "What's their car number?" you write that down, "What's their name?" - and then you see them still ridin' around, smilin' at you, laughin' at you. You know, that ain't no kind of business, you know.

This youth believes that the policemen retaliate against those who complain:

. . . oh, yeah, they know. That's one thing - they know, because a cop, everytime he see me, man, when he come on duty, cat stop me, you know, 'cause I been stopped . . . about the last . . . right after I get out of jail, you know, I get stopped for everyday about two times, be about two times a day, two times by the same police, you know.

In discussing the difficulties of communication among Negroes, one youth states that the Negro middle class has little influence with the lower-class Negro:

Well, I'm gonna tell you why. Well, now where we live, in Logan Heights, yeah. But have you ever noticed that the young people they have up there, they way out there, man - police and sons, and all these little ho@kies here and ho@kies there, these socialites Negroes live out that way, you know. They can come in here, say anything they want, they don't know anything about our problems. They on that side. You don't find hardly none of them over here.

Yeah, all the trouble right here, and they supposed to come from this district and that district out there. They don't know shit about this district, and they don't even associate with us.

The middle-class Negro youth is caught in a bind between socio-economic and racial identification. While giving greater support to the police than does the lower-class Negro youth, there is a general belief that Negroes of all classes are discriminated against.

The middle-class Negro youths interviewed strongly support the police action during the post-Watts incident in Logan Heights. One youth says, in reference to Watts, "To me it was embarrassing and degrading." She comments next on the "little riots we had in San Diego." "I would have conked them right on the head if I was a policeman. I think that they did a pretty good job." One youth makes the following remark:

. . . some of them said, "Why do we have all these police out here? We're not doing anything wrong!" - forgetting that it was an explosive situation and it could have gotten out of hand very easily, and I think it was done very well, because, if I was a property owner over in those areas, I would want my property protected, and I think others should have felt the same way.

One girl rationalizes the incident: "It was just a bunch of people and a bunch of kids that want to have fun, and it just got out of proportion."

The youths state that they respect the police. They recognize, however, that respect must be instilled by the family. As one comments:

My brother has taught me, and he's a policeman, to have this respect for the police. And if you know you're not doing anything wrong, you're just standing there, and he comes up, don't jump on him because he came and stopped you. But everybody's so ready to jump back at each other, and when a policeman comes up there, everybody starts talking, getting loud. It's in the home, though. Until the parents teach their kids to have more respect. . . .

A social separation from the lower-class Negro resulting from parental training is recognized:

Well, the problem starts in the relationship between policeman and the people; it starts in the home. Unless the home-life attitude changes, the attitude of the kids won't. But it depends, but most of the time, most of my friends, their parents aren't ignorant people, they teach their kids to respect people, and police is people, so respect him, too, and that's his job. But then, I know that people who come out of these welfare homes, some of them who are very smart, they'll break away from their parent's way of thinking. Their parents think, 'Oh, he's a cop -- he' no good,' . . .

Well, they have asked for it themselves in their younger years. They got out and they're at the liquor store most of the time, instead of with their kids, and kids from a family like that, that's all they've heard. But that's most of it, in this area - the welfare cases, the poverty area. In this area it's in the family, and you have to break that shell first.

The police are viewed as favoring the white youths because the white residential communities of the city are less policed. This is the result of several factors. As one youth believes, "The rich kids can get away with anything." A girl states that in La Jolla if a youth does something wrong, his father can hire an expensive lawyer and clear up the difficulty. It is noted that incidents in Logan Heights are widely publicized, but those in the white sections are suppressed. There is a general belief held by the youth that Negroes are not accepted in the larger world,

. . . we're a whole different world, and the whites don't think of us as people, but as Negroes. . . . Like if I wanted to go downtown to a store, a high-class store, they'd say, "Well, look at that Negro girl."

As it is more likely that middle-class Negro and white youths will relate socially, the middle-class Negro youths are particularly sensitive to police reaction. Perhaps as a token of acknowledgement for understanding and support of the police, the middle-class Negro youth desires to be viewed as possessing greater social responsibility. However, in their opinion, the police do not differentiate among Negroes in the area of field interrogation, which is a particular irritant to some middle-class youths. One youth resents being stopped and he recalls an incident in which an officer requested information about a man running down the street. Then, without reason, the boy says the policeman became suspicious of him, "patted him down," and questioned him. Another youth, in discussing field interrogations, states that he dislikes the shakedown part of it most: "Man, I just don't dig this pulling up your shirt to see what's under there, tapping you up and down the sleeves and legs and arms" . . .

One youth explains that he has never been stopped but that some of his friends have been. They talk, he says of police brutality, but he believes they exaggerate. Another youth knows someone who was stopped once, and this boy did not like the policeman's attitude:

He didn't really mind [being stopped], because he knew he was around the school on a Saturday, which he shouldn't have been; so, he knew the policeman had a right to stop him to see why he was around the school. But he [the policeman] didn't have to take this attitude. . . .

Related to the matter of police attitude is the belief, even among middle-class Negro youth that the police do harass interracial couples. From one case, youth is able to generalize about police attitude. The story is told of the light-skinned Negro girl who was dating a dark-skinned Negro boy. The couple was stopped by the police, and during the course of the interrogation, the policeman asked the girl confidentially, "What is a nice girl like you doing going around with a Negro?" Although none of the middle-class Negro youth interviewed had been involved in such a situation, they were willing to believe that the incident actually took place.

While the middle-class Negro youth believes he has the support and security of his family and some positive communication with society in general, many lower-class Negro youths feel they have no one to turn to - that nobody with power and influence is listening to what they view as legitimate grievances.

. . . to tell you the truth, right around here, you know, the Negro guys don't have no leaders. I mean, like you keep on talkin' about, you know, dig them Negro leaders, and all this, like this dude up here . . . well, no, they ain't no leaders in. . . . Man, they ain't nobody here to talk to, you know, because . . . nobody can understand you anyway. Like, your parents - you try to talk to them, well, you know, "Whup your ass, stay off the streets!" You know, "Don't do that," and you go on anyway. You know. I mean, you can't talk to nobody.

The unwillingness or inability of the police to establish satisfactory channels of communication with Negro youth is viewed as hostility. The Negro youth is prepared to reciprocate in kind and to accept the consequences.

D. Summary

It is reasonable to state that police-community relations in San Diego are less than favorable. In general, pervasive problems are recognized by those in the community who are involved in present social concerns.

White middle-class residents express the least concern about police-community relations. Although there is a divergence of opinion, the majority believes that the problems of Negroes in San Diego are not severe and that the police do not use excessive force. They support, with reservations, both police action during the post-Watts incident in 1965, and the necessity for field interrogations. Existing complaint procedures are thought adequate, although certain segments of the community would favor improvement, including the establishment of a civilian review board. Many individuals believe that there is discrimination or, at least, techniques which may be interpreted as discriminatory by minority groups. Furthermore, Caucasians agree that

juveniles present a major police problem, but that procedures which may be differentially attentive to youth are, in fact, effective. The only exception to this generally positive tone is in the area of traffic control which is singled out for unfavorable comment and characterized as excessive.

The dominant view of minority groups, both Negro and Mexican-American, is that the San Diego police are discriminatory. A clear majority hold negative opinions about police procedures during the post-Watts incident, field interrogations, complaint processes, traffic enforcement, and police brutality as conceived in a broad sense.

Both Caucasian and Negro youth have negative attitudes towards the police, although members of the latter group are more pronounced in their opinions. The only exception to this view is that of the middle-class Negroes who support police tactics during the Logan Heights eruption, but who resent field interrogations and harassment of interracial couples.

Chapter Five:

THE POLICE AND YOUTH CULTURES

A. Introduction

At the time of this study, the Juvenile Bureau of the San Diego Police Department consisted of forty-one personnel. Commanded by a Captain, the Bureau included the following sworn personnel: one Lieutenant, three Sergeants, twenty-five Patrolmen, and five Policewomen. The remainder were assigned to clerical functions.

Organizationally, the Bureau is placed under the command of the Inspector of the Investigations Division. Other units in the same Division are the Detective Bureau, Vice Squad, License, Intelligence, and Narcotics Details.

Departmental publications give the Juvenile Bureau the following responsibilities:

1. The investigation of all crimes in which juveniles are listed as the actual or suspected violators.
2. The investigation of school, recreation department, and child care center burglaries.
3. Processing of adult persons charged with or suspected of a violation of 272 P.C. (Contributing to the Delinquency of a Minor).
4. Neglected or abandoned children.
5. Investigation of battered child complaints along with the taking of appropriate criminal action when indicated.
6. Investigation of missing and runaway juveniles. Maintain appropriate files on same.
7. Make referrals or other suitable disposition of juvenile offenders.
8. Maintain bicycle registration files and provide a limited bicycle license service in conjunction with the Fire Department Program.

9. Supervise and regulate teenage dances (excluding licensing).
10. Provide, in cooperation with other community agencies, a program of delinquency control and prevention.
11. Discovery and elimination of community hazards such as caves, etc.
12. Stolen and recovered bicycles.
13. Checking crime-prone areas, hangouts, etc.
14. Counseling with parents and children.

Although the Juvenile Bureau does not have primary responsibility for the issuance of licenses for teenage social events, it does take an active part in the investigation which precedes such licensing. The attitude of the police toward such events will be analyzed later in this chapter.

One can observe from the above list of functional responsibilities, that the Bureau is "protection" and "enforcement" oriented. The bulk of its work could justifiably be classified as falling within the generic term of "investigatory." That this is a correct judgment of the Bureau's philosophy and orientation is verified not only by administrative analysis, but also by observation and by the data accumulated in interviews with Departmental personnel. This is further verified by the study of the other agencies involved in the administration of juvenile justice.

The two agencies in the city which deal most frequently with "delinquent" youth--the police department and the County Probation Department-- tend to "compartmentalize" their processing and handling of the youth. There appears to be almost no overlapping of functions between these two agencies, as if by rigid and formal agreement the two agencies had agreed to "which was to have what." Furthermore, during the entire time the research staff was in San Diego it appeared that there was at least a tacit agreement that neither agency would comment upon the work of the other. In fact, the head of the Juvenile Division of the Probation Department candidly told a member of the research staff that neither he nor any of his employees would discuss police procedures with juveniles. As far as his "official" view was concerned, the Police Department was doing an effective job of dealing with youths. Other agencies dealing with youth--schools, recreations, etc.--spoke freely of their associations with the Police and Probation Departments

B. Enforcement Policies and Practices

1. The Curfew Ordinance

A municipal ordinance provides that it is unlawful for a minor under the age of 18 years to be on the streets or in other public places between 10 P.M. and daylight, unless accompanied by an adult, or involved in some other clearly permissible activity. Involvement in only certain types of activities excludes a juvenile from application of the curfew; consequently, the Department realizes that care and caution must be exercised in the

enforcement of the ordinance. Departmental policy states that policemen are "...NOT to use this ordinance as strictly interpreted but to employ it as a LOITERING control ordinance." It then cautions officers to make reasonable use of the ordinance:

The Curfew Ordinance and other laws, are reasonable and enforceable only so long as the majority of parents and public agree with them. If over-enforcement creates a vindictive attitude on the part of the public, it would only be a matter of time before the Curfew Ordinance would be drastically amended or repealed, and thus lose its value as an 'anti-loitering' tool.

The Curfew Ordinance can be of great value if enforced properly. It gives the Police Department a valuable tool with which to control the activities of individuals and groups hanging around the street corners, businesses, or other places where their purpose or intention is questionable or a source of annoyance to other citizens.

In the event that a juvenile is detained for violation of the curfew, officers are advised that the juvenile may be placed in Juvenile Hall "only in aggravated cases." For less serious matters, the juvenile is to be brought to central police headquarters, where the Commanding Officer will contact the parents and require them to come for the child. In routine cases, it is permissible for the officer to take the juvenile home and release him to his parents.

2. Ethnic Factors in the Juvenile Problem

Officially, the police state that race is not a significant factor in the juvenile problem. According to them, "all areas yield between one and two percent delinquent." Also, "juvenile problems should be handled like any other disturbance, regardless of what race of people are involved." The Police Department reports that Logan Heights, primarily a Negro district, does not have the highest rate of delinquency. The private expressions of policemen dispute this statement, however.

In contrast to the official police viewpoint, the individual patrolman expresses a different attitude. One officer explains when trouble will arise:

We have problems when the colored schools play together or when they play a white school -- we always have a fight -- it's automatic that we're going to have a beef afterwards -- where we have two other schools and we don't have a beef.

Other comments indicate similar concerns about Negro teenagers:

Negroes dislike authority...they have little or no supervision at home. They hate policemen.

Maybe it's their upbringing, maybe it's because of this civil rights movement where they've got such a chip on their shoulder that policemen will walk up to one and say 'You're causing a disturbance -- out!' 'You're pickin' on me cause of my color of my skin!' That's the only reason you're kickin' me out is because I'm a Negro!'

And it never fails, if we have a school that is predominantly colored, we will have a problem policing that school in their sporting activities.

As can be detected from the above quotations, the individual Caucasian police officer believes race is very much a factor in juvenile delinquency. Negro police officers express a different attitude.

The racial overtones...may start if the number of policemen increases, the number of bystanders also increases. And then you have the racial overtones built up. But actually, I would think, in a lot of instances, it's built up by us as policemen.

They believe that many times the attitude of the Caucasian officer influences, in a negative manner, the relationship between the Negro and the police. (For additional comments regarding this see Chapter VI.)

3. The Juvenile Society

The police see a difference between the role of enforcement in the past and at the present time. Accordingly, years ago juveniles could be handled informally.

...the policeman on the beat caught him doing something, grabbed him by the scrub of the neck, and shook him a few times and gave him a size 9-D in a soft spot, and maybe later if he saw my grandfather, then he told him, 'I caught your boy down here where he shouldn't be' and that was it. He not only got it from the policeman on the beat, but he got it from his dad when he got home. Now, without going into any sociological subjects, I think parents have a different outlook on home discipline than they did years ago. We could always get back to the root of the thing and say it belongs at home....

Policemen believe the difference exists as a result of modification in family structure and in the degree of home discipline.

The general police attitude regarding gangs in San Diego is, as follows: "I don't believe that we do have gangs as such; we have individual cliques..." But while actual gangs are not a problem, the police realize there are troublemakers.

As a police officer you work in the community and know the people. And if you see particular individuals from a community going to a dance, you know whether they're troublemakers or whether they're not troublemakers...you know that something's going to start.

Now, certainly some organizations have better reputations than others, irrespective of race.

Despite the racial overtones of any public gathering or event, the police are adamant that order be maintained. If trouble is continuously a problem with a particular juvenile social function, then, "...that event should be eliminated until people demonstrate that they can conduct themselves like normal human beings and obey the law!"

The police attitudes toward the juvenile society appears, therefore, to be of two types: first, the official viewpoint that there is no racial component to juvenile problems, and second, the officer's private viewpoint, that the Negro juvenile definitely does constitute a special police problem.

4. Police Responsibility for Juveniles

The police believe that many youngsters "...require supervision, not only from parents but from the police." It is considered a police responsibility "to direct youngsters who are otherwise directionless." It is due to this type of reasoning that the police justify such activities as licensing of social events.

I think it [licensing] is one of the forerunners of control; and, if you have a troublesome group that has been troublesome to the community, the Department or any other organization, if you can prevent them from staging one of these affairs...then half the problem would be solved...

In addition to control, it is believed that through licensing, the protection of the juveniles can be accomplished.

Imagine a situation where perhaps a person who has been in the business of prostitution or the illegal sale of alcoholic beverages, wants to conduct such a dance for children. If it were not a Police Department licensing the situation, it could well be that they would be able to license such a place.

Recommendations about the granting of a license for a social event involving juveniles are made by the Juvenile Division. Since this constitutes an administrative decision, personnel of the Division were asked what appeal a person had if the Division had not recommended the granting of a permit. At first, the answer was, "None." Pursuing the question, a researcher asked the officer-in-charge who had the ultimate decision. His response was, "I guess the Chief has the final say in the matter." Asked if the Chief had ever overturned one of his recommendations, this officer stated, "I have been making these recommendations for a number of years and I don't think the Chief has ever gone against one of my recommendations. Of course, that's primarily because I am cautious in making my recommendations to the Chief!"

That the police believe they have a responsibility to juveniles is also illustrated by their maintenance of a Border Check Station, the operation of which is discussed in detail, below. At the station unescorted juveniles, without written parental permission, are turned back to prevent their exposure to the immorality of the Mexican border towns.

It is the opinion of the police that if the parents were aware of juveniles' activities, some of the problem would be eliminated. It is suggested that: "an effort should be made...through our community relations program to...leaders of the community...they could advise the parents of just what these kids were doing." It is clear that the police believe they have a definite responsibility in the supervision of juveniles.

5. Police Attitude Toward Social Agencies

In general, the police attitude toward other social agencies can be summarized in the following statement: "...the rehabilitation efforts on the part of probation and parole agencies were not effective in this area [juvenile delinquency]."

Much has been written about police attitudes toward the courts and nothing has been found to contradict the generally accepted viewpoint that police believe courts are overly concerned with the rights of the individual and not enough concerned with the protection of society. "I think they [the courts] are putting more restrictions on the police..." is a typical statement.

6. Techniques of Enforcement

In addition to standard enforcement procedures, the Police Department utilizes a number of other techniques to handle the juvenile problem. (Only those procedures dealing for the most part with juveniles will be discussed in this section.) The police recognize that it is important for them to be in contact with juveniles in other than negative circumstances.

...administratively the Department established a policy of the patrol units and traffic the same way, making a routine of getting acquainted at the recreation centers, playgrounds, the locations where youngsters congregate -- maybe it's the malt shop or the drive-in -- to get to know those people. This policy started with the Chief of Police. He says, 'I want those men to get acquainted, to get to know them, to make friends out of those individuals.'

Individual officers point out, however, that the main problem seems to be one of finding the time and the opportunity for these positive, non-official contacts.

The use of the patrol car and the subsequent elimination of the foot patrolman, however, significantly reduced these more informal contacts.

I think the administration in the past few years has emphasized mechanized equipment, and you get away from it, from the down-to-earth contact with people. The old footman walked around and knew everybody in the neighborhood -- well, our population almost makes this impossible now -- but there is no reason, and it is strongly advised, that the policemen in their areas contact youth groups, recreation centers, troublesome spots, and keep in contact with the kids, and show them that you're an individual....

Due to the "high crime rate" and changes in population, the police believe that they are forced to use procedures which do not easily lend themselves to non-official contacts with juveniles. The administration states that it is policy to encourage such contact, but there was little evidence found in observations or in interviews with patrolmen that such contacts are deliberately sought out or that they occur with any frequency.

7. Planning and Coordination

When the police become aware of a juvenile dance or other social event which is to take place, they have a standard plan of approach.

...naturally they [the notices of the events] would go on our daybook and also the Juvenile Division would be alerted to this dance coming up, and we would assign extra patrol in the area to actually be on guard against any violations that might occur, and then our plainclothes juvenile officers would also attend and cover these dances from time to time, checking on them inside, seeing any potential [trouble] that might be in the making.

...the men [officers in the Patrol Division], prior to going on watch, should be made aware that there is a dance there and potentially there is trouble there and should keep this in the back of their minds; their supervisor also should, if there is a problem, send... what is needed....

It is the responsibility of the managers of the social event to insure that "...for every 100 there, there will be one private patrolman" and the police will then assign extra police personnel to also look in on the dance and check for misconduct outside. The police look upon "...planning of these things as a method to prevent any occurrences from happening...prevent it before it happens."

The police believe that it is important to understand and to have some knowledge of social events.

I would think that a background study would be needed: Where do these people go after they leave the dance? What do they usually do after they leave the dance? Does a disturbance occur at the dance? -- things of this nature.

This knowledge permits logical deployment of police manpower. If the police problem at a specific social event progressively gets worse, "I think I'd try to find out exactly why this is happening; ...juvenile gangs in opposition... possibly it's too much booze in the dance, or what have you..." Liaison is also established by "contacting the...operators of the dance...sort of let the word get out,too, that if there is going to be trouble, that enforcement is going to be applied."

8. The Use of Juvenile Officers

The discussion of the juvenile officer's role in this section will not attempt to explore the full implications; mention will only be made of those duties specifically pertinent to the policing of a juvenile social affair. Juvenile officers work primarily in the preparation stages and they perform an intelligence function during the event.

They [juvenile officers] can go to the schools, ...a lot of times they have knowledge of these people that are causing the disturbance, maybe they can go to the troublemakers and let 'em know we know they're doing it and that something is going to be done about it; or go to the schools and talk to the kids that are involved...

During the dance or other social event the juvenile officers will gather information and replay it to the Patrol Division.

...our plainclothes officers are pretty much sent out as observation teams or intelligence or an information team, feeding back information to our Patrol Captain in whose hands or judgment it is to police, with his uniformed patrol, this [social] function.

Another special function of the juvenile officer is to follow-up on juveniles who have displayed hostile attitudes towards officers during field interrogation.

...where the [patrol] officer has indicated that this boy has a poor attitude...that FI card is assigned to a juvenile officer for a follow-up, and this follow-up entails the officer making the contact with that juvenile, preferably at home, and sitting down with the child and his parents at a time and a place where the only thing they're going to talk about is: 'Son, we're here to make this a better place for you to live.'

This procedure recognizes that field interrogation techniques may result in some resentment among young persons toward the police.

9. Show of Force

The standard police response to a pending or potential juvenile problem is a show of force. The technique and its results at one event are explained, as follows:

...the commanding officer decided to handle it one week; we sent so many units up there and they would cruise the parking lot where a lot of the trouble was starting...we would have officers check inside of the dance along with the Sergeant periodically; he had about eight to ten units up there just patrolling the area all evening long, and the trouble seemed to me to go down. We didn't have to take any action.

The show of force is used "...to prevent anything from happening, and I am certain that the great majority of the people...have no objection to seeing the police around when they leave..." Police do not view the show of force as harassment although to some officers it does have at least two disadvantages: first, such a policy "drains" police protection away from other parts of the city; second, it is possible to have "too much show," and this may be actually provocative. By and large, however, it is reasonable to conclude that the Department believes in such a tactical display of power in handling juveniles. The consensus of police opinion is that "...the more police officers you have on the scene, the less trouble you have, and the less action that has to be taken; regardless..."

They have fights and we get in there and try to break it up and they mill around and if the police back off then they start throwing rocks and things at the police cars that are there, so we have to keep a certain force there or else we have trouble.

10. Extra-Legal Activities

In addition to the above enforcement techniques, the police often utilize methods of handling juvenile problems which may fall outside legally approved limits. At certain dances, usually those which have had trouble in the past, the San Diego Police Department stations a regular patrolman at the front entrance and "...all the boys are searched for weapons when they enter..." Policewomen are also stationed there to check all girls' pocket-books for liquor. The police believe that this procedure is necessary to minimize the potential problems. The police also "...break up any crowds they see in order to persuade people to either go back inside or continue on their way," for the purpose of preventing group conflict and/or illegal activities which may go unobserved if hidden among large numbers of youngsters. In addition, the police believe that the "hangers-on" who cannot get into such a dance--either because they are too young or because they have been drinking--create dangerous situations which may provoke incidents. Their operating rationale is to prevent these incidents by "stopping them in the bud."

11. Border Inspection Station

The Border Inspection Station is located at a four-lane control entrance at a point just north of the Mexican border. Police officers are stationed at a position in the center of the traffic flow, a point from which they can visually scan people coming through. Cars containing juveniles who are not accompanied by adults are ordered to stop and the occupants are directed to a building where their age and possession of parental permission to cross the border can be verified by other police officers. If the officer's suspicions are confirmed that a juvenile is under-age and that he does not

have parental permission to go into Mexico, the juvenile is turned back at the border. The juvenile's name and address is taken, and the Police Department sends a form letter to the juvenile's parents informing them of the encounter.

Several members of the research staff visited the Border Inspection Station at various times. One member made the following observations about the police techniques employed at the Station:

They [police officers] ask for a person's wallet or purse and conduct a search. They have no hesitancy, apparently, about going directly into the purse and browsing around for something which will contradict the identification which the person has given. This seems to be a liberty that I question, and I think it's probably more out of expediency than implied consent, because I'm sure that it does pose some prima facie question of being an illegal search. They also, with males, many times order the juveniles to empty their pockets, and then go through them and check, to prove false I.D.

Other members of the research staff made observations. One pointed to a possibly subtle form of discrimination which was being exercised against youths who appeared to be of Mexican descent. They were rarely stopped or discouraged from entering Mexico, despite their youthful appearance. If this form of discrimination is, in fact, being exercised, it means that the police are exercising less "protective control" over Mexican-American youths than over other youths.

Another practice which was noted was the tendency of officers--at least during the varied times of the observations--to discriminate against youths wearing "mod" clothes. (Much of the repartee which took place between the officers and the youths may have been in jest, but it was also obviously resented by many youths.) Girls wearing either "jump suits" or "pants suits" and boys with long hair or beards were frequent recipients of caustic comments. Girls were frequently asked, "Why are you boys going to Mexico?" Boys were similarly the objects of sarcasm when they were asked, "What are you trying to do, prove your age wearing a beard?" or "Boy, with that hair-do, you'll have to be careful or some sailor will pick you up!"

When questioned about the Border Station generally, the police maintain that the system serves a constructive purpose, not only in terms of stopping criminal violators, but also in preventing runaways and protecting juveniles from exposure to the immorality of the border towns. When asked whether the public supports them in this venture, ranking officers in the Department report that favorable adult response to the program has been overwhelming.

C. Conclusion

Although it has been noted that the list of functional responsibilities for the Juvenile Bureau of the Police Department is "protection" and "enforcement" oriented, the description of policies and procedures tends to indicate negative relationships with youths. By their very nature, enforcement activities on the part of the police may be inherently negative. Because such activities tend to restrict the activities or to punish the juvenile, they uniformly evoke a negative response in the youth. The data collected demonstrates, however, that so-called "protective" services also tend to evoke resentment, at least among some juveniles. The manner in which these services are performed and the mannerisms which are often used by the officer give the impression that these services also are more punitive than positive. Even these potentially positive acts on the part of the police give rise to hostility.

Chapter Six:

THE POLICE AND ETHNIC MINORITY GROUPS

A. The Police View of Ethnic Minorities

The general police belief, as publicly stated, is that everyone should be treated the same under the law. Policemen resent the suggestion that any ethnic minority should be given special treatment. One policeman succinctly stated a collective view in the following words:

I think the law should be applied to all of them. They're all human beings and they should be expected to uphold the law, regardless of the color of their skin. And they should expect the same treatment from the law.

Police procedure in planning and manpower assignment may take into account the racial makeup of a group, but the police generally do not acknowledge the necessity to modify their application of the law:

I think the Department should have a policy, and the policy should be city-wide. . . it should say one thing and it should be adhered to.

When the term "minorities" is used, the San Diego police think most often of Negroes. The police believe that the Negroes have brought this on themselves by trying to force the issues and by making constant demands:

Do you know what the Filipino organization is? Do you know what the Portuguese is? No. . . because these people are not in the limelight every day, they're not protesting every time a Filipino gets arrested and put in jail, they're not down there banging on the Mayor's desk or the City Manager's or the city desk of the local newspaper.

The police do not believe that other minority groups pose any particular law enforcement problem. San Diego has a significant Mexican-American population, but this group is apparently of little concern to the police:

Mexican-Americans feel more accepted in this city, especially than any other group that I know. . . They feel they settled this thing. . .

They feel like they own the joint. . .

Well, they're a little proud of their heritage. . .

The first generation Mexican-Americans don't give us any trouble at all. They're proud to be Americans. . .

Police officials often comment on the low incidence of crime among the Oriental population. The total Police impression is that the only minority group which represents a law enforcement problem is the Negro community:

I'll bet you that you can't find one officer in this Department who has ever written a citation to a Chinese, Filipino, or anything other than a Negro, who has had that person say to him, "You're pickin' on me on accounts of the color of my skin". . .

(See chapter four for Mexican-American views of the police).

What the police think of the Negro society can be categorized into two areas: an official Departmental view of its relationship to Negroes and the opinion of individual policemen. The standard "official" view is that there is no discrimination in San Diego.

You see, we go back years of integration. You know, we don't think anything of it. There's been no problems on the buses, no problems in the schools, of this nature. . .

There is little or no discrimination in San Diego. . .

This is representative of the general police feeling about police-community relations problems in San Diego; there will be no problems when the community conforms to the laws and understands the police role. (See Chapter three.)

There's no reasons for these people to be crying out for things. They have equal opportunity out here. As far as I know, they always have. There have never been any cases of undue prejudice in any organization or factory or public utilities that I know of. . .

The police sentiment is that they have a problem with the Negro population in San Diego; however, they insist that this problem is a result of the racial problem coming to San Diego and not that San Diego is causing the problem: "This racial problem. . . has been brought to us." An argument that is voiced by many law enforcement officers is also heard in San Diego:

too much emphasis is being placed on minority rights, thus depriving others of the exercise of their rights. . .

In the area of complaints from Negroes regarding specific police conduct, the police say:

There will be no police brutality -- there would be no need for it -- if these people behaved in this manner that they are advising. . .

The Police Department is convinced that it has the backing of the majority of the Negro community. In other words, ". . . we wouldn't have had the success that we've had . . . if we didn't have their support. . ." Concerning the Post-Watts incident, a ranking officer stated:

I think the citizens of ----- even the colored area, the colored citizens called up and congratulated the individual officers for weeks afterwards on the efficient job they had done and kept those hoodlums -- and by that I mean they were talking about their own people, their own race of people -- they said they kept those hoodlums off the street, put a few of them in jail, and it was safe to walk the streets again down there at night. . .

At the individual officer level, there exists a difference of opinion between Caucasian officers and Negro officers. The consensus among Caucasian officers is that the Negroes are different and must be treated accordingly. As one officer said:

It isn't that we want to be overbearing on the people, it's a matter of necessity; you must do it for the protection of the people who live in the area or who live in the vicinity who will be victims of malicious damage and just pure meanness. . .

And while the officials of the Department will say that there is no specific crime area in San Diego, the Patrolmen and Sergeants say that:

Logan Heights [the Negro district] is the problem area of the town. All categories of crime are highest there. . .

(Negroes who have been affiliated with the Police Department -- contradict this view.)

Patrolmen also state that "Negroes dislike authority . . . and they have little or no supervision at home." The opinion that the Negro problem stems from lack of supervision in the family is constantly brought up by the patrolmen. Similarly, the " . . . Negroes don't understand that the police have a job to do." This attitude is apparently shared by the Department. Caucasian officers expressed confusion as to why the Negroes do not support the police. .

Why, just because a man's skin is colored, why doesn't he, why shouldn't he wholeheartedly back and support his local police department?

They are the body of people, they are the ones that elect the people in their city government; the city government or the vote of the people are the ones who enact the laws; and they hire us to enforce the laws for both white and black -- certainly not just for the white people, but for the white and the black. Why should you get support of the white and not the black? They're their laws, too, their city. . .

While the Negro officer shares many common feelings with the Caucasian officer, there is a definite difference in attitude toward the Negro community. The white officer, while realizing that it is difficult for the Negro officer to work in the Department, fails to comprehend the sensitivity of the Negro officer in the race relations field. This problem is particularly evident at social events. As one Caucasian officers notes:

At a party of policemen. . . the other officers, after having a few drinks down their belt, begin to tell Negro jokes and use the word 'nigger' in the presence of Negro officers. . .

But the prejudice does not limit itself to social events. Prejudice on the part of the individual officers also manifests itself by remarks made to "partners" who are Negro officers. As one officer stated:

I know of one officer who pulled the following trick when I was actually with him. He'd walk up to a Negro on the street and say, 'don't want you on this corner when I come back, or I will book you for suspect, Nigger'. . .

In the view of some of these Negro officers, therefore, the problems the Police Department has with the Negro community stem, at least, in part from the prejudice of individual officers. That this prejudice disturbs and effects the morale of Negro officers is quite clear. The last incident which apparently had generally injurious effects on the

morale of Negro officers occurred during the statewide election campaign to repeal the "Fair Housing" law. It is reported that Negro officers were incensed to find that literature and bumper strips in favor of repealing the Fair Housing law were being passed out in the Police Department Headquarters, itself. As one Negro officer states quite eloquently, "How do you think that made us feel, to have our 'brother' officers take a direct slap at us?" Apparently, the literature and other campaign paraphenalia were removed when a spokesman for the Negro officers lodged a formal protest with the Chief of Police. The fact remains, however, that Negro officers remember the incident and "know" that at least some of their fellow officers are prejudiced.

To a man, however, all of the Negro officers interviewed still express pride in the Department. They are proud to be members of the Department and are proud of its general efficiency. At the same time, many recognized that the Department still has improvements to make. As one Negro officer explains it:

By and large this Department does a good job. But there is always a minority of officers who are fouling it up. And I don't mind saying that I am getting tired of going out and explaining to Negro residents why one of my 'fellow' officers fouled up. I have enough of my own work to do without making excuses for a few of the 'foul balls'. . . They make it tough on all of us [Negro officers] to explain the action of the Department in our own neighborhoods.

The Negro officers believe that the prejudice of the white officer is a factor in some of the patrol techniques. One Negro officer explained the effects in these words:

I would think that being professional is the thing that can deter any number of incidents and I think that a lot of the incidents are provoked, actually, just . . . well, not by being policemen, but just that little moment where we forget that we are policemen and look at it on a personal basis.

The Negro officer, therefore, has a double responsibility, i.e. he must perform his own job and then he must withstand the questions and the criticisms of some of his friends and neighbors when they confront him with certain actions taken by another officer.

The police generally feel that their "enforcement" job in the Negro areas is completely different from their role in a middle or upper class white district.

Statistically it is lower class people who have the higher crime rate and different types of crimes. But you take a middle age class, a section of the city where the middle class people live, you generally have less police problems there than you do in the lower class. To work in a residential area of middle class people, the majority of your job would be friendly, nice, courteous things that you could do for people. When you work in a lower class section of the City, of any city for that matter, or predominantly in a racial group area of the city where the crime rate is higher and less devotion to city government is by the individual citizen down there, your job is 180 degrees away from the other. . .

The police work in a Negro section, in the words of one officer involves ". . . more actively participating physically in down-to-earth reprimanding of the public for their conduct because there are more breaches of conduct there than in some other areas." According to a dominant police view, ". . . crime tends to concentrate in these areas because of the Negroes. . ."

The Negro officers show concern about the attitude of other police officers toward the people in the Negro areas.

I hear very frequently that more citations are written in Logan Heights than in La Jolla . . . someone will say that they are not as lenient in Logan Heights as they are in La Jolla. Now this is where, I would think, the line forms in regard to how they look at police officers.

The Negro police feel that statistics on crime rate and the attitudes of the citizens may be in some measure influenced by the attitudes of the white police officers.

B. How the Police Engage the Problem of the Ethnic Minorities

In policing a Negro area, the police use those methods and procedures that are standard for police operation. Whenever there is a difference in enforcement techniques, it is a matter of degree. The primary police method of dealing with potential trouble is the show of force. This idea is deeply implanted in the thinking of the San Diego Police Department, as is illustrated by the following comments:

The Watts riots . . . I think it all boiled down to the fact that they did not have an adequate amount of force early enough. Had they had the force down there, enough to contain the riot, it wouldn't have spread as large as it did.

If I don't have enough men to make a show of force, I'm afraid they're going to gang my officer. And this to me is a bad situation in terms of today's problems.

If trouble arises or if it is anticipated, the Department follows the above philosophy and uses a show of force to combat the problem. In explaining the presence of large numbers of policemen at a recent event, a supervisor said:

The reason for those police being there is because of the trouble that these people have caused in the past. Otherwise, those policemen would never have been there, and we do need 'em when trouble starts. I don't feel that the police were there ready for battle . . . but, were there to prevent battle if possible.

The fact that the Department places a heavy reliance upon the "show of force" has a specific implication for an area such as Logan Heights. The Department is proud of the "scientific" way in which it distributes and deploys its manpower. Decisions concerning distribution and deployment are made in response to specific "need," and this is justified by the statistics and workload data of previous periods of time. This results routinely, of course, in a higher concentration of police manpower being assigned to the Logan Heights area. With such a concentration, the resident of the Logan Heights area is much more likely to encounter a policeman than residents in other sections of the City.

The result is practically a "self-fulfilling prophecy" when this method of deployment and manpower distribution is coupled with a heavy emphasis on "production." Another feature in which the Department expresses great pride is the "productive policeman." One ranking officer explained the Department's policy in the following terms:

Our first line supervisors [Sergeants] have a responsibility to keep statistics on each officer's production -- not an average, but his production -- to find out whether a particular officer's performance is consistent with what his his Squad's average might be. As a result, if a particular man is low, we expect an explanation.

There is no reluctance to talk about this feature of the Department; rather, it is a source of pride to the Department. In the estimation of one ranking officer, ". . . I think it has become very scientific and we have every right to expect a normal amount of output from each officer." At the same time, however, officers of all ranks are quick to point out that the Department does not have a "quota system." Even as they say this, however, some administrative officers express the opinion that the Department

still has some way to go before the Department achieves peak efficiency. One administrator stated that, "I'm not quite sure that we have yet reached our capacity per man out there."

The implications for police-community relations, however, are quite clear. By the very nature of the Department's present mode of operation, therefore, it is perfectly reasonable that Negro and Mexican-American residents of Logan Heights would "logically" expect to encounter a policeman more frequently than if they were residents of another section of the City. Figuratively and literally, they have a higher "exposure rate." Furthermore, because the Police Department is "production conscious," the policemen who are encountered by the Logan Heights resident is likely to be "activity conscious." In other words, the policeman is probably going to be engaged in those precise activities which accrue to his "production credit." Almost all of these types of activities fall under the general category of "enforcement activities."

C. Police-Minority Encounters

The areas of conflict between the police and the public vary. Each sector of the community is concerned primarily with those phases of police work which affect their group. The white middle class, for example, is not concerned with the field interrogations procedure, but is concerned with traffic enforcement. One of the primary areas of conflict between the police and the ethnic minorities in San Diego appears to involve field interrogations.

That San Diego police officers believe that field interrogations are a vital and necessary part of police work has already been developed. However, of importance here is the fact that the white middle class is not particularly concerned with field interrogation procedures. On the other hand, almost without exception, Negroes and Mexican-Americans have negative opinions concerning field interrogations.

Police Department statistics reveal that approximately twenty thousand field interrogation reports are written each month. (In addition, there are probably an equal number of stops which do not result in the writing of such reports.) Data was not available as to the proportion of these which involved minority group persons, but there is reason to believe that minority group persons are "over represented" in the total number of field interrogation "stops." The statements of both Negro citizens and Negro policemen verify the fact that field interrogations represent a major source of conflict and irritation between the Police Department and ethnic minority groups.

An extremely important fact which emerged quite clearly from the data gathered in San Diego is that there is a discrepancy between what the police believe is the impact of their field interrogation program on the Negro population and what the actual impact is. The police hold the opinion that since they receive few complaints regarding field interrogations, the reaction is not detrimental to their relations with the Negro community. They also believe that field interrogations are a positive contact because the officer has the "opportunity" to explain police problems to the public.

Quite the opposite effect appears to be taking place. In almost every interview with Negroes and Mexican-Americans in San Diego, the ill feeling produced by the field interrogations program was prominently mentioned. The minority community is resentful of the police practice of recording information on people who had not committed a crime. This resentment was evident in both middle and lower classes.

Similar observations may be made about two other "production activities", namely the writing of citations for driving violations and for mechanical violations. Rightly or wrongly, these are viewed -- almost exclusively -- as negative encounters with the police

On the other hand, the police place a high degree of emphasis on public relations. The following comment indicates how the police believe such a public relations role fits into the patrolman's job:

We expect every one of our officers to be skilled in community relations. We not only expect it, we demand it. . . you would consider his ability to handle individuals and get along with people, along with everything else that he does, the number of field interrogations he makes -- all the things that we use to measure an individual's activity. We expect them to practice good community relations.

The degree of emphasis is important and it is difficult to determine. It would appear from the above section on "expected production" that the primary emphasis is placed on production. The Department, however, states that they disqualify approximately "thirty percent of the people that are appointed . . . and about ninety percent of those are disqualified for the reason that they can't get along with people."

Part of the answer may lie in the interpretation of what the desired goal is in the area of police-community relations. One officer explained:

A large part of every policeman's job is that of educating the public and I would venture to say that they spend at least half of their time explaining to the lay citizen what limitations we operate under.

It is quite evident that from the police standpoint the primary goal of the Police-Community Relations Program is to "sell" the police product to the people. They see it as a public relations program and not as an education program for the police, themselves. This would conform to earlier police views concerning the actual problems in the area of police-community relations.

Again there is a difference in the attitude of the Negro police. As one Negro officer notes:

I've been called in on several meetings where we've gathered with the community leaders and where we've put it right out to them -- what are the gripes you have? -- and try to get them to understand our position. But as far as the internal aspect, I don't think it's even directed toward the internal aspect. I think what influence comes is through the Training Division . . . but that's only during the rookie's training period.

Negro officers -- in agreement with many of the persons in the community -- feel that the Department is doing a disservice to itself, and to the community, by not requiring that older officers take part in the community relations training.

D. Evaluation

In Chapter Two, the ethos of efficiency and impartiality was discussed. There, it was pointed out that these two strongly-held values of efficiency and impartiality were actually generating some of the police-community-relations problems in San Diego. Related to both of these values is the anti-political bias of policeman in San Diego. (Actually, this bias may be so universal as to comprise a portion of the policeman's "life-style.") In any case, the City as well as the mores of the policeman would seem to give unusual prominence to a "politically neutral" stance. The City is, of course, organized under the Council-Manager form of government, a system which gives unique prominence to "professional, un-political administration." Furthermore, cities which are under the Council-Manager form of government often exude an aura of smugness about their "superiority" over the corruption-ridden, political cities of the eastern part of the nation. The dichotomy between politics and administration has been especially strong in the development of police forces in California. Lack

of political involvement has become synonymous with "professionalism." Consequently, it is not at all unusual to find policemen in San Diego who are apparently passionately "unpolitical." The hypothesis that they do have such an anti-political bias is verified by the data collected in this study.

The policeman in San Diego is prone to reject any decision which he feels is a "political" decision. This is true of local, state, or national issues. Time after time, policemen contacted during this study take solace in their belief that the cause of civil rights is not a "local" issue. Rather, the policeman assesses the "agitation" by any group in San Diego as the product of some "foreign import," a response to the national civil rights struggle. Feeling this way, he is prone to reject -- without a hearing -- any of the requests or complaints of persons or groups which could be linked with "national civil rights groups." He displays the feeling that everything in San Diego would remain as it formerly was, if these outside dogmas would only disappear. In this response, he and his leadership display a basic naivete about current social movements. The policeman's "un-politicalness" simply helps him to rationalize his prejudice against such developments.

Curiously, the "un-political bias" does not extend as far as the legislative program of the Peace Officers' Association of California. Before each session of the California Legislature, the Law and Legislative Committee of this organization sponsors and opposes bills before the Legislature. During the last session of the Legislature, the Association actively campaigned for passage of "anti-riot" laws, for a law making possession of L.S.D. illegal, and for revision of the Peace Officers Retirement Act. When asked to distinguish this type of lobbying and campaigning from activity which they would consider "political," none of the officers was able to make a satisfactory distinction. Many reply, however, that "those" laws were sponsored because they are "for the public good." Therefore, in the policeman's view, the public good is un-political! The point is that this feeling or attitude betrays a basic political and social naivete.

Justice, to the San Diego policeman therefore, is something which is absolute rather than relative. Justice, is not something which is achieved through the competing of social and political interests. The police mechanism would reject the theory that justice in San Diego is related in any fashion to the political process. Similarly, the police would reject the thought or the suggestion that police methods of operation should be responsive to the entreaties of "pressure groups." Therefore, the police are being true to their "professional creed" if they refuse to respond to such pressure directed at their personnel, training, deployment, or operational methods. Yet the police themselves identify as a pressure group when their interests are involved.

The relationships between the police and the ethnic minority groups in San Diego, therefore, are characterized by "structural forms" which diminish the effectiveness of any long-term relationships. These relationships appear to be conditioned by many factors, among which are the following: their view and attitude toward ethnic minority groups, the orientation which is given to the police mission, the customs and traditions of the police service, and a "built-in resistance" to outside pressure. Consequently, the relationships are -- almost inevitably -- negative relationships. The policeman is provided with an automobile which gives him mobility but isolates him from basic contact with the public. His mission is to enforce the law, particularly in those locations where statistics prove that violations of the law occur with predictable regularity. His whole relationship, therefore is construed as being that of an enforcement agency. Because of his workload, he has few opportunities to relate in any other fashion to the residents he is assigned to "police." His only long-term, persistent association with persons in the community is that which has been constructed for him, that is, a negative, enforcement relationship. If the policeman's mission is redesigned, if his method of operation is redesigned, he is likely to resist this if it is the result of "political" decision-making, an activity which he resents.

The Department has provided him with virtually no information which describes the social setting in which he is to work. The few hours in the Academy devoted to "Human Relations" are inadequate for any long-term effect. Neither he nor the Department has been introduced to the population or social data which explains current community organization development, or the social forces which are actively involved in "negotiating" changes in patterns of social relationships. The individual policeman and the Police Department, therefore, remain static in an environment which is dynamic. Neither recognizes that there is any meaningful relationship between social service and social change.

Chapter Seven:

PROBLEMS ATTENDANT ON JUSTICE AND DUE PROCESS OF LAW

A. The Police and Due Process

The "Administration of Criminal Justice" is a term which seeks to describe a complicated process designed by our society to engage and deal with the problems of crime and delinquency and its threat to the larger community. This term describes a process and some of the implications of this term become apparent when one considers the large number of formal agencies which exist to deal with different aspects of the problems of crime and delinquency. The police, the prosecutor, the courts, and other agencies are formally organized to operate within at least a portion of the process of justice. In addition, large numbers of unofficial agencies or community organizations are also organized to give assistance and to have a role in the process.

Justice, therefore, is not easily achieved. Each of the agencies--official or unofficial--which takes part in the process of administering criminal justice may have either a functional or dysfunctional effect upon the entire system. The task of one agency may be assisted or hampered by the policies and procedures which are followed by another agency. The actions of any one of these agencies may have unintended consequences for the planned programs and goals of another agency, or of the process as a whole.

In the United States, it is assumed that the courts will occupy a dominant position in the administration of criminal justice. It is the courts, in particular the appellate courts, which interpret the meaning and scope of such principles as due process of law, the presumption of innocence, the reasonableness of searches and seizures, etc. Few of our citizens, however, come into any contact at any time during their lives with the functioning of our appellate courts. If citizens are to have dealings with any of the agencies of justice, then this contact for most of them will come about as the result of their dealing directly with lower, magistrate-level courts, or with the police.

Justice, for the most part, can be measured by the actual contact which the average citizen has with the police or lower courts. The enunciations of the highest courts notwithstanding, the content of justice, the real meaning of justice, is determined by the types of relationships the individual

can consistently expect to receive when he deals with these two lower-level agencies. If the average citizen--one without personal power or influence--can reasonably expect to receive fair and sympathetic treatment from the police and from the lower courts, then justice to him is both fair and sympathetic. If he cannot expect this treatment, then to him justice is neither fair nor sympathetic. It is for these reasons, therefore, that the operating policies and procedures of the police are of crucial importance. Contacts with the police, more than any other matter determine citizen evaluation of the administration of criminal justice, as a whole. Justice, in fact, consists of those rights which the average citizen enjoys "out on the streets."

The role of the police in the administration of criminal justice can be divided, basically, into six parts. They are as follows:

1. The prevention of crime.
2. The detection of crimes which have been committed.
3. Identification of the person or persons responsible for crimes.
4. Apprehension of the person or persons responsible.
5. Detention of the person for processing by the judiciary; and
6. Presentation of the evidence to the prosecutor.

Throughout the performance of these functions, any attempt to deprive a person of any of the rights guaranteed him by law represents a violation of due process.

Police violation of due process may take the form either of technical legal violations or they may, in fact, be more subtle violations of the "spirit" of due process. Technical legal violation of due process may take a variety of forms. The police may falsify the evidence which they present, or they may be guilty of illegal arrests or detention. On the other hand, the police may have used an excessive amount of force in apprehending or detaining the person accused of the crime; or they may have performed unreasonable or illegal searches or seizures. In addition, they may have used physical or psychological coercion in extracting a confession or admission, or they may have inflicted all sorts of other punishments upon the person which are prohibited by law. Police violations of due process, therefore, may take many forms. Consequently, a careful examination of the practices employed by the San Diego Police Department was made in an effort to determine possible violations of due process. If violations were found, procedures were established by the research team which would enable a distinction to be made between random or accidental individual violations and those which took the form of a traditional and systematic organizational violation of due process. The rationale for this orientation by the research team was that it is just as important to uncover propensities toward the violation of due process as it is to uncover the actual violations. A report of our findings in this regard is submitted.

It is noteworthy that nowhere in the findings of this study were allegations of the falsification of evidence or the forcible extraction of admissions and confessions advanced by any person interviewed; nor were they otherwise suggested by observation and investigation. It can be assumed, however, that the high judicial standards which prevail today would make the exercise of these unconstitutional acts meaningless in the accomplishment of the police purpose. Accordingly it is not expected that any law enforcement agency would subscribe to technical practices which may have been more common in earlier times.

Allegations of unreasonable search have been implied by accounts of persons concerning officers making their field interrogations, particularly of juvenile subjects. Similarly, this kind of violation of due process, if substantiated, would be related to that of illegal detention, and, possibly, actual arrest not in conformity with the law. In addition, complaints of the use of excessive force, carrying the inference of an exactment of a kind of punishment outside the authority of law enforcement officers, were examined. All of these charges of due process violation were subjected to careful scrutiny.

First, it must be noted that the San Diego police officer is well indoctrinated in the principles of law and in their application to modern police practice. The manual of instruction placed in the hands of each officer lays great stress on the rights of the police and the restrictions placed upon them in accomplishing their mission. The text includes elaborate coverage of both federal and state court decisions which define the proper exercise of the duties imposed upon the police agency. A recent device for familiarizing all members of the Department with the evolving law on human rights is a three-hour classroom presentation on the subject. This training is prescribed for all police personnel.

Next, the matter of field interrogation presents itself. This is a field patrol procedure entailing the stopping and questioning of persons on the streets and in public places with the purpose either of disclosing criminal activities or of making a record of information to be employed in a later investigation of crime. Approximately 200,000 field interrogations are made annually. The majority of these apparently are directed towards juveniles. The manual of training for recruits devotes much space to the purpose and manner of making the field interrogation. Legal justification stemming from case law is presented in exacting form. While the Department makes a uniform denial that specific quotas are imposed upon the policeman to make field interrogations, it is apparent that the Patrol Division officers are required to submit a "fair" volume of reports on their activity in this regard. Departmental supervisors determine what is an appropriate number of field interrogations.

California law does not require that information be given to a police officer by a citizen except under very limited circumstances. Section 647 of the Penal Code, for example, prescribes that information as to identity and presence must be given only when one:

...loiters or wanders upon the street or from place to place without apparent business... if the surrounding circumstances are such to indicate to a reasonable man that public safety demands such identification.

Evaluation of whether the San Diego Police Department abuses its authority in field interrogations is individualized. Certainly, there is much resentment over the practice.

While the resentment against the field interrogation embraced by certain persons may be high, there is no evidence that the widespread practice represents a violation of due process. That the field interrogation can be subject to abuse, that it can be employed to hurt one's dignity, that it may be at the core of a deficient (aspect of) relationship between the citizenry and the police must be recognized, and it will be dealt with elsewhere in this report. However, it can be labeled as being either unconstitutional or otherwise illegal - only if it is used excessively or as a tool of harassment.

Unlawful arrest by the San Diego Police Department does not appear to be a major concern of citizens. There are few complaints charging false arrest, and no allegation has been made of such illegal action in the interview of any official involved in the administration of justice. Therefore it can be concluded that the action of the San Diego police officer in making arrests is usually in accord with the law.

Finally, there is the matter of undue force. One aspect of this is the policy of handcuffing all adult prisoners and many older juveniles. This policy was constantly mentioned by members of the Police Department, itself. It was also a matter of strong complaint by many citizens. The procedure is to handcuff persons' wrists behind their backs when transported from the scene of arrest to jail. The protection of the arresting officer--in most cases alone at the wheel of his vehicle--is repeatedly given by superior officers as the reason for this restraint. Since Sections 835 and 835a of the California Penal Code authorize the use of "reasonable" force and restraint, it would appear that the practice of handcuffing everyone represents no illegality or other violation of due process. The Department provides further precautions inasmuch as all patrol cars are equipped with heavy wire screens between the front and back seats in order that no physical assaults may be made by prisoners. Also, every officer is outfitted with a helmet, which he must wear at all times. The negative implications of a practical nature will be commented upon elsewhere.

Excessive physical force is the subject of widespread charges and sometimes concrete complaints. In a sample of eighty [80] complaints made by citizens against members of the Patrol Division in the first six months of 1966, there were sixteen which charged some degree of physically abusive behavior. In addition, the commonly accepted use of the "sleeper hold" and the temporary use of pressure on the vessels of the neck to deprive the brain of its blood supply might be considered as measures possibly implying a use of force in excess of that permitted by law. (This will also be considered below.)

Nevertheless, there is little substantial evidence of actual physical brutality by San Diego policemen. Department administrators are emphatic in their pronouncements that it will not be tolerated. Policemen deny its exercise. Representatives of other agencies engaged in the administration of justice, and members of the bar, discount rumors of its use. Even the most vociferous critics of the police attest to the absence of any regular exercise of physical abuse of persons by the police. Examination of the few actual complaints of physical brutality presented for our consideration offered little to substantiate the charges.

It can be said that technical-legal violations of due process by the San Diego Police Department are isolated. When they exist, they are individual acts and cannot be fairly interpreted as representing the consequence of a pattern of organizational attitude and practice. It is not part of the administrative style of the San Diego Police Department to encourage technical-legal violations of due process.

Due process, however, has another face, i.e. the "spirit" of due process, the spirit of fair play. In order to gain an insight into this aspect of due process, it is advisable to examine the role which the San Diego Police Department has set for itself and for its members. In this way, one can delineate the dominant concept of due process which characterizes members of the Department. It is necessary to determine if there is only a grudging acceptance of the "rules of the game," or if, in fact, the members of the Police Department use certain restrictions as a necessary and vital part of democratic policing. Begrudging adherence to the letter of due process may have a different social effect than willing, wholehearted acceptance. Much of the latter is dependent, of course, upon the top leadership of the Department. These high-ranking officers set the administrative and organizational tone and style with which the police mission is accomplished.

Comments by police officers upon the judicial process came to the attention of researchers in a variety of ways. Interview schedules, of course, were designed to elicit the attitudes and comments of policemen about the process. Data which were accumulated on this point did not come, however, solely in response to specific questions by researchers on the point. Much of the data was volunteered or initiated spontaneously by officers prior to any

specific question by interviewers. Comments were also accumulated during parts of random observations, in patrol cars, in headquarters, on the streets, etc. In addition, comments were accumulated as a result of panel method sessions which were held with members of the Police Department.

Of all the data, the striking characteristic is its uniformity. From the data accumulated in this research one could easily make the observation that policemen in San Diego represent almost a monolithic structure when they express an opinion about due process, the judicial process, the administration of justice, etc. There certainly must be exceptions to this typical attitude within the Police Department; but the research staff simply did not come into contact with them! Typical of responses which the staff encountered is this direct quotation which poses the question as a moral issue:

I fail to see the moral rightness in allowing a killer to walk free because of technicality. I feel that in some ways this country has gone overboard in protecting the rights of the individual and lowering the rights of the general public as a whole.

Resentment over recent appellate court decisions is posed not only in moral terms, but also in political terms.

...if the courts want to release dangerous rapists and murderers because of technical problems related to arrest procedures that is the problem of the country and not really a problem of the police because the people are going to suffer as a result.

Our data demonstrate that officers throughout the San Diego Police Department, from the highest to the lowest ranks, are intensely concerned about the effect which recent appellate courts decisions (state and federal) have had upon their ability to do their work. High-ranking officers express particular concern over the effect they suppose these decisions will have on the task of apprehension. Officers on all levels point to these decisions as being a major factor in police morale.

Credit can be given Departmental leadership for having created an internal working environment which sustains high morale, a condition which prevails despite the supposed deleterious effect of court decisions. Patrolmen also point to recent court decisions as having an effect upon morale, and those able and willing to make projections predict that police morale will be even lower five years from now precisely because the court will impose "further restrictions" on police agents.

It is obvious from the various data collected that the police officer in San Diego is comparatively well trained in the technical aspects of criminal law, procedure, and related portions of constitutional law. These matters are stressed throughout the Department in a variety of ways. They are covered extensively in both recruit and in-service training programs; legal matters are regular subjects of staff conferences, Department training memos, and in roll-call training. Data leaves little doubt that the police in San Diego are well-prepared in these areas of technical-legal knowledge. However, little emphasis is ever given to the theoretical framework upon which the laws are based.

On the other hand, it seems equally clear that little is done in the way of instilling knowledge and values of "American Institutions." Insufficient attention is apparently given to the matter of pointing out the social and democratic importance of due process, the presumption of innocence, and other legal theories which are basic components of a democracy. In no place does the data demonstrate that attention is given to such matters as the powerlessness of most persons when they are confronted by the legal resources of government. In no place does the data reveal that the "perspective" of the accused is dealt with in any form in Departmental training, supervision or leadership. Rather than this perspective, emphasis throughout the Department is upon techniques and methods of improving efficiency in such matters as investigation, apprehension, patrol procedures, etc.

This observation may seem to be petty or of minor significance to police officials. To the research staff, however, this matter may be of crucial importance and central to at least a portion of the police-community relations problem. Just as a teacher who ridicules the academic process or who is anti-intellectual may have a dysfunctional effect upon the educational process for children, so too, a policeman who is "anti-due process" may have a dysfunctional effect upon persons he encounters in his official capacity.

Ranking officers in San Diego, for example, are indignant when the Department is accused of "harassment." This is a charge which is often leveled at the Department by minority group persons. The Department denies the charge and takes the posture that such practices are specifically guarded against by close supervision. This enunciation of policy is, however, at variance with statements (and justifications) made by personnel on the operational level. Many officers stated in private conversations, for example, that motorcyclists are controlled by rigid vehicle "inspection" practices. These inspections are justified socially on the ground that they keep "undesirables" from congregating in the city and creating disturbances.

Other officers admit the practice of concentrating Departmental resources in sections of the city where "trouble-makers" are known to congregate. Although the deployment and procedures used are admittedly "harassing," they are rationalized on the ground that they are preventive in result. According

to some police, they do keep the problems, which inevitably occur, from occurring, and this is the presumed social goal of police action. Furthermore, these practices are seen as being particularly effective in controlling juveniles, at least, harassment bordering upon "verbal brutality" is rationalized by some officers. To quote one officer who justified the practice:

...Sometimes it is necessary to embarrass, let us say, one teenager in front of his friends. If, for example, he can be verbally put down, no matter how this was done, the rest of his friends will sometimes then follow his example, once he has been put in his place. This is a tactic used by the Police Department, it is necessary, and it is comprised of things that a person would not normally say, but he feels that it was necessary to resort to.

The policeman in San Diego, therefore, is dedicated to doing those things which experience tends to demonstrate have an effect upon his work-load and overall mission. He tends to resent those practices, complaints, or rules which restrict his application of "proven" methods. In San Diego, according to his folkways, the effectiveness of field interrogations, a show of force, selective enforcement, etc., has been "proven" to his satisfaction. To him, these methods work and he resents persons from the "outside" who question these methods.

It may be that the policeman is impressed more by utilitarianism than by the theoretical or symbolic implication of certain matters. He sees his job and his role in a particular way. He seems much less concerned about the theoretical function he may serve in the administration of criminal justice than he is by the ever-present danger that awaits him and the general society.

B. Differential Standards of Enforcement

It is not surprising that the minority community feels that the degree of law enforcement to which it is subjected differs from that exercised in parts of the city predominately occupied by Caucasians.

Persons interviewed make conflicting allegations of too much and too little enforcement in minority group neighborhoods. For example, emphasis was placed by many on gross toleration of vice in the parks of Logan Heights. Heavy concentrations of rowdy youngsters, glue sniffing, gambling, and drinking -- these were practices described as persisting in the Negro community while these same practices were being suppressed in the white neighborhoods.

On the other hand, there is a feeling in some quarters that the police do not respond to calls for assistance made by Negroes. At the same time, the police are presumed to go out of their way in enforcing the law against members of the minorities.

A widespread allegation made by both whites and Negroes is that the San Diego Police Department does discriminate against juveniles of all races. According to this belief, the juvenile is the chief target in traffic enforcement, and he is the most frequent subject of the field interrogation. The screening at the Mexican border check station also is directed at the juvenile. The heavy policing of high school sporting and social events is designed to cope with his supposed propensity to violate the law.

The expressed feeling that there is differential treatment of the young person is too common to be ignored. Like the Negro, the juvenile is highly visible and is easily singled out for enforcement attention. However, the incidence of crime and traffic violation committed by him, coupled with the youthful propensity of becoming involved in disturbances, makes a higher degree of enforcement directed at him easily explainable. The adult community readily accepts the screening to which the juvenile is subjected at the Tijuana border. Adults view the device as one designed for the juvenile's protection.

It is not the purpose of this study to pass on the merits of the police technique employed in juvenile enforcement. It may be questioned, however, whether the enforcement policy is sufficiently understood, in view of the undercurrent of thought which holds the young person to be the object of discriminatory police practice. Perhaps the Department is deficient in enunciating the significance of its enforcement policy as it relates to the young subject.

While the Department disclaims any official policy of double standards in law enforcement it, nevertheless, is manifested by many individual policemen. Thus, the minority community has gained the impression that the Department condones discrimination. Also, the increased incidence of vice activity and the added difficulty in suppressing it may have led to the assumption that it is condoned. The relatively high incidence of crime in the minority community are Departmental reasons for stepped up police activity which may be mistakenly considered discriminatory.

Concerning any lack of zeal in handling the request for police assistance made by the Negro, neither the study of complaints against police personnel, nor the personal observations of the researchers bears out this contention. There is no indication that the San Diego Police Department renders less service to the Negro complainant than in cases where it deals with the Caucasian. That an individual officer may exercise differential treatment of a race in occasional or several contacts must, however, be recognized.

C. Mechanism of the Police-Public Contact

I. Police Image

The contact a police officer has with a citizen does not carry an impact which is solely a product of the officer's purpose and manner. Rather, the officer is often preconceived as having an authoritarian and essentially punitive purpose. Persons who hold this "authority" image of the police continue in their fear unless they routinely have contacts with policemen which substitute for the preconception.

Concretely, the San Diego minority group person is prone to picture the police officer in a negative manner. The description of the policeman given by one person as an "unknown thing encased in a steel machine" may signal a basic police failure, i.e., the failure to communicate effectively with certain members of the minority community. The description of a rookie policeman going into Logan Heights expecting to find the majority of inhabitants to have criminal tendencies and to be antagonistic to law and order is not an uncommon observation.

There is repeated reference to the lack of communication which might be initiated by the police officer on patrol. There is constant referral to his unwillingness to learn the language of the people, to enter into ~~their~~ "thought patterns," to appreciate their culture and motivations. According to this belief, the policeman sets himself up as one who is not to be questioned, whose actions are not to be attacked; to question him means to attack him. There is a built-in barrier to communication which underlies distrust of him and what he represents. Thus, there is fashioned an image which may be predestined to give negative flavor to the contact that arises when a police officer confronts a citizen on the San Diego scene. The police contact with the man in the community should be of primary importance in assuaging the tensions which may underlie the attitudes of community members; if this contact generates tension rather than assuaging it, then an essential aspect of the police purpose has been lost.

2. Negative Contacts

No formula is contemplated which will result in the police being "loved" by all persons they contact. Police work, by its nature, is negative in much that it does, and the emotions which arise from its accomplishment will also be negative in the majority of cases. The psychological mechanism of rationalization is present in all humans. Responding to this, the arrested offender attempts to place the officer at a disadvantage, to cast the officer in the posture of an offender, himself. Nevertheless, certain actions which become identified with the enforcement he has effected will contribute disproportionately to the ill will generated by the incident in the first place.

The field interrogation in San Diego probably contributes negatively to police-public relationships more than any other single policing technique. It has been described as the "core of the problem" of poor police-community relations in San Diego. The objectives of the field interrogation according to the police are to uncover criminal activity, to locate criminals, and to provide information of value in future criminal investigations.

Critics of the procedure describe the offense to dignity afforded by the repeated interrogation of good citizens: the embarrassment of questioning the young man on a date concerning his relationship to the girl in his company; and, the employment of it as a harassment technique. The Negro driving his family in an all-white neighborhood and the racially mixed couples are pointed to as particular targets of the field interrogation. This practice is branded as unproductive and provocative, as a source of resentment and hostility.

The administration of the San Diego Police Department defends the field interrogation vigorously. In their mind, it is a legitimate crime preventive device, and actually results in crime prevention and suppression. It is considered an absolutely necessary police tool. It is repeatedly pointed out that the "good people" of the community support the field interrogation; that the "upstanding" citizen at home watching television is not subjected to it. The police recruit is given considerable training in performing the field interrogation.

Officially speaking, there is no quota in the volume of field interrogations the police officer must accomplish. Unofficially, however, there is admitted pressure on the officer to produce them, this being confirmed through discussion with both members and administrators of the Department. Thus, it can be expected that the practice may be exercised on occasion without true need, but merely to meet a pre-established formula of accomplishment. With a crime rate higher in the minority area, and a high incidence of pedestrian and vehicular traffic at late hours, it may be anticipated that the opportunity for stopping and questioning citizens in the minority area presents itself.

Persons interviewed emphasize the manner in which an individual officer may make the interrogations. The challenge to individual dignity in the presence of a companion of the person interrogated adds to the resentment. While personnel of the San Diego Police Department repeatedly stress the public relations sense and courtesy exhibited by the policemen, the incidence of criticism on the approach patrolman employ in conducting the field interrogation indicates that there may be an injudicious lack of tact in performing this function. Members of the minority community complained of the constant use of the words: "boy," "amigo," "muchacho," "pancho." Added to the lack of acceptance of the fact of interrogation, the added defect of manner may contribute strongly to the tension which it creates. While the administration holds that there is acceptance when the purpose is explained to the subject, it may be questioned whether intellectual acceptance can be forced in the

face of the emotional rejection which has been precipitated by its use.

After the arrest is made, the San Diego officer is not permitted to use discretion in handcuffing the prisoner. No matter how minor the violation, and regardless of the evident absence of possible danger to the officer, the arrested person has to be handcuffed from behind. The practice originated because of the fatal assault by a prisoner on a Highway Patrol officer. It is argued that the lone driver of a police vehicle is vulnerable to attack [by] the prisoner in the rear of the vehicle. Notwithstanding, most police cars are equipped with a heavy wire screen between the front seat and the back seat. The Administration contends that the need is too strong to provide for discretion in its exercise. While there is admittedly some feeling of the men against the inflexibility of the policy, all generally hasten to defend the rule.

It is not the purpose of this report to criticize the technical procedures employed in the accomplishment of the police task. It may be suggested, however, that depriving the policemen of a right to exercise discretion in the manner in which he is to complete his contact with a minor offender, a person who is already traumatized by the incident unnecessarily complicates community relations problems. Insisting that the policeman adhere to a rigid formula which categorizes all offenders as deserving the stigmatization handcuffing from the rear implies, points to a deficiency in attitudes which go into community relations. The cold efficiency of pursuing such rigidity must have an effect in engendering attitudes in the individual officer in contradistinction to the warm appreciation of the dignity proper. police-community relations imply.

One further technique commonly used by the San Diego Police Department deserves mention. This is the use of the "sleeper hold." This is the standard method used by the Department for subduing any person who offers resistance to arrest. Its use is insisted upon by the Chief of Police who defends it as being the most humane of all methods of subduing resisting persons. The theory behind the "sleeper hold" is that pressure is exerted upon a person's carotid arteries, thus interrupting the flow of blood to the brain and causing the person to "black out." Once the unconscious person is lowered to the ground, handcuffs can easily be placed upon that person for transportation to jail. This method of subduing persons is used so commonly that it can be characterized as being routine.

Members of the research staff who had police backgrounds were more cautious in their appraisal of the technique. Some expressed doubt that the hold could be placed as easily as Police Department members stated. When the Department was requested to produce figures about the use of the hold, and particularly figures about the number of times the hold was "missed," the Department could not produce these figures. Other members of the research staff expressed concern about the immediate or residual brain damage that might

result from even a temporary interruption of blood flow.

Because of these reservations, and because the Department could not supply data to answer specific questions, it was necessary to consult medical experts on the matter. On the use of the hold--and its medical effect--there was conflicting medical testimony. Depending upon their medical specialty, physicians viewed the use of the "sleeper hold" in different ways. Some were certain about its adverse medical effects upon the victim; others could see nothing medically objectionable about the hold. Some physicians were violent in their disapproval of its use; others felt the method might be preferable to other techniques of overcoming physical resistance.¹ The one thing which all medical testimony had in common, however, was the conviction that the method should be subjected to immediate scientific evaluation prior to receiving either medical approval or disapproval.

The remarkable factor, however, about the whole matter of the 'sleeper hold' is the fact that the technique has become practically institutionalized in San Diego, despite the fact that there has apparently been no medical evaluation of the technique. Taking this fact into consideration, therefore, along with much expressed criticism of the technique on the part of citizens, does justify the conclusion that the technique may have an understandably adverse effect upon police-community relations.

It was indicated above that the organization cannot be branded as embracing physically brutal practices, if "brutality" is defined as the unwarranted exercise of punitive physical force. There is little evidence that other than isolated incidents occur. However, there may not be the same care against the perpetration of "emotional brutality" by the Department. Repeated allegations of disregard of feelings of the minority group persons, were encountered by members of the research staff. These were coupled with a lack of Department concern about the importance of regarding these community feelings with care and constructive response. These facts may indicate that there is an undercurrent of "brutality" in Departmental attitudes, although not of a physical variety. It appears that individual police representatives of the many ranks interviewed did not regard the matter of interpersonal relationship between police officer and citizen as worthy of special consideration, over and above the insistence that courtesy should prevail at all times, and that all persons should be treated fairly and according to law. It can be conjectured that the efficient, fair, legal performance of duty frequently may be coupled with a standard emotional coldness which attaches negative connotation to a contact which otherwise might be neutral, or even positive.

¹One, while expressing general disapproval, felt the "sleeper hold" was certainly preferable to the large numbers of head injuries he treats for arrested persons in one large city.

Perhaps no field of police activity involves public contact more than traffic enforcement. The San Diego Police Department is clearly proud of what it deems to be success in traffic work. It boasts an enforcement index of fifty-five, and does not tire of announcing that vehicle insurance rates in its city are but a fraction of those in Los Angeles and San Francisco.

The Department has a well-disciplined Traffic Division which handles forty percent of the Departments' enforcement, as well as seventy-five percent of the property damage accidents. Quota "expectancies" are placed on both Traffic and Patrol units. Special enforcement squads are assigned to selected areas periodically. Written signed citations are recommended even for persons whose violations involved extenuating circumstances.

The San Diego Police Department has fought to retain control of its freeway system, instead of ceding responsibility to the State Highway Patrol. The justification is given as the circumstance wherein fifty percent of a San Diegan's trip involves use of a freeway. This common local use of the freeway thus calls for the services of the local enforcement agency. In addition, it has been suggested that traffic enforcement may facilitate other types of enforcement as well, activities in which a specialized traffic enforcement agency has no primary interest. The traffic stop is considered a valuable medium for disclosing criminal activity, and a general enforcement agency utilizes it in this manner.

It is suggested that the obvious negativeness of the traffic contact might well interfere with the Department's image, and that the city might be unwise in tenaciously retaining its traffic obligations on the freeway. The prevailing opinion among the citizens is that the Department is very aggressive in its traffic enforcement. It might be worthwhile to share the burden imposed by the negative label of enforcer with another agency identified with specialized enforcement. This could be accomplished in ceding freeway responsibility to the California Highway Patrol. Nevertheless, the administration of the San Diego Police Department is adamant in its refusal to follow the example of other communities in the state which have relinquished this control.

3. Positive Contacts

Each member of the Department interviewed laid great stress on the public relations orientation of the organization. It emphasized courtesy and tact, tempered by an air of pronounced efficiency. The uniform personal cards, and the name plates on clean, business-like looking desks are examples of this attitude. The Department publishes attractive literature which is distributed to the citizens.

Furthermore, the Department enjoys a very close relationship with the press. There is mutual respect between press and police, and there is

no apparent interest on the part of the daily newspapers in finding cause for attacking the organization or its members. The Negro press is apparently ignored.

Relationships with other agencies involved in the administration of criminal justice appear to be ideal. It is noteworthy that the former Special Agent of the F.B.I. in charge of the San Diego Area commented that the relationships between his office and the Department were unsurpassed. Monthly meetings are held with the various juvenile agencies to discuss mutual problems. Juvenile officers are urged to get to know the juvenile probation officers, and this is viewed by the Department as being the finest medium for exchanging information and assuring interagency cooperation.

Administrative officers are prodded into joining service clubs, in which they become active. Even lower ranking members, who do not face the same requirement to join organizations, frequently do so to raise their esteem in the eyes of their superiors.

The investigative unit takes particular opportunity to enhance its public relations. Once a month, a letter is sent to each person whose complaint was handled by each investigator, inquiring into the quality of service received. A stamped envelope is enclosed to assure reply. A mere five percent of the replies are negative. There are no data on those not returned.

The Police Department performs a great number of miscellaneous public services for the public each year. The variety of these services is wide and may range from giving map directions to confused or stranded persons, assisting persons locked out of their home to the rendering of emergency first aid to an injured person. Each one of these services, of course, has a public relations component and is capable of becoming a positive police-citizen contact.

Two of the most recently instituted programs of rendering "public relations" services to the public will be discussed, for these are capable of separate analysis. Other public services are more amorphous and tend to become absorbed in the total service pattern of the Department.

The Police Department began a program some time ago to provide emergency ambulance service to residents and tourists in the city. The Department uses a fleet of specially equipped station wagons for this purpose. These are deployed on a decentralized basis so that they are available for dispatching to the scenes of emergencies. While not actively engaged in performing ambulance services, these units are available for regular patrol duties. Members of the research staff are impressed with the concept behind this service. The city and the Department are obviously pleased with the services which have been rendered and with cost figures. Furthermore, the

Department and the city established the ambulance service despite the vigorous political opposition by private ambulance companies and others. Officials involved are convinced that the public is now getting improved service, and there is apparently no intent to abandon the service.

The second service is more recently established and simply involves equipping each patrol vehicle with a special front bumper which permits the pushing of stalled vehicles. The system was copied from the California Highway Patrol which began the service two years ago. The public relations potential of such a program is obvious, even in the mild climate of southern California.

It should be emphasized that the San Diego Police Department is public relations conscious and that it does emphasize its official policy of performing courteous and efficient public service. It will entertain and establish new programs, but only if they offer some direct service benefit and do not detract from what administrators view to be the Department's central mission--law enforcement. Although the Department apparently earnestly strives to have as many positive contacts as possible with the public, the number of these beneficial contacts is seriously limited. Manpower is one limitation and the Department gives first priority to those functions it feels fall most directly within its mission. The Department, the city government, and the community are cost conscious, and pride is taken in the record of performance the Department has achieved with a low ratio of police personnel to population.

A second reason for the limited number of positive contacts with the public, however, is due to the present mode of Departmental organization and its operating philosophies and procedures. These will be discussed in greater detail in the next chapter. If these are defects in the Department, however, they may very well be defects in the police system, generally. The San Diego Police Department is performing those functions which have traditionally been performed by the police, and is apparently performing those functions more efficiently than many police departments. Despite this record of performance, and despite the fact that the City of San Diego has a relatively quiescent minority group population, the Department still finds itself confronted with too little opportunity to relate to significant sectors of the community in a positive manner.

Chapter Eight:

STRUCTURAL FORMS AND THEIR EFFECTS UPON POLICE-COMMUNITY RELATIONS

A. Police Personnel Practices

1. Selection

In common with most other police and sheriff's Departments in the state, the San Diego Police Department subscribes to the selection and training procedures of the California Commission on Peace Officer Standards and Training.¹ Accordingly, its selection processes are governed by the restrictions established by the Commission, the most prominent being that the prospective police officer must be a high school graduate or equivalent, and that he must meet certain physical and moral standards.

San Diego has no residence requirement. Only recently however, has the civil service office begun to advertise for recruits on a nationwide basis. The test is a general one, of the usual type. Recruit classes are formed of approximately forty appointees; fifteen percent of whom are from out of state. The training officer and the Chief of Police personally consider ex-Marines to be the best candidates, and about ten percent of the recruits come directly from the Armed Forces. Approximately two members of each class are Negroes. Only about six percent of the total number of all applicants are ultimately placed on the eligible list.

San Diego has only recently announced intention to give a psychiatric examination to each applicant. A somewhat unusual feature of the San Diego Police Department's selection is that the background check is not started until after an applicant has been hired and has begun his training. A final interview is conducted by a sergeant-lieutenant team.

¹. Under the P.O.S.T. program, if local jurisdictions adhere to state standards they receive a partial training reimbursement.

2. Training

The training program's contact presents nothing of an unusual nature, being substantially built around the curriculum propounded by the Commission on Peace Officer Standards and Training. All other police agencies of San Diego County are invited to send their recruits to each academy course. About twenty percent of each class are from outside departments. The San Diego Sheriff's Office however, does not enroll its recruits in the course given by the San Diego Police Department and has established its own.

Twelve units of credit are conferred by the San Diego City College for completion of the recruit training course. Technically, the students are enrolled at the College, the examinations are filed there, and the grade cards become part of the College records. Every instructor in the academy must hold a teacher's credential, regardless of the limited time he may instruct. Police Academy staff members must possess at least an Associate of Arts degree.

The distribution of training time is well adapted to avoiding the drudgery of eight-hour classroom days subscribed to by many police departments. While the first two weeks of a recruit's career are spent entirely in classrooms at the police academy, the next eleven weeks are occupied partly by classroom instruction and partly by field instruction. During these eleven weeks, a four-hour period in class is followed by dinner, a one-hour conference, and five hours in a patrol car. The latter assignment is not a hazardous one relative to the recruit's partner. This instructor-patrolman has received special training in his duties as trainer. At the end of each duty tour, he must make an evaluation of his student-partner. In addition, the patrol sergeant under whom the recruit works must also make an evaluation. Conferences are held with the recruit as need arises, and here the recruit is advised of his shortcomings.

The probation period seems to be used with purpose, unlike the practice of neglect so prevalent in the many departments. Department members frequently point with pride to the fact that thirty percent of the recruits fail to pass the probationary period. While it may be conjectured that the delayed background check may contribute to the high attrition rate during probation, ranking officers disclaim this practice as being the crucial factor.

A goal of ten hours per year of in-service training is set for each man. The most recent course in which all personnel participated in was a three-hour unit devoted to the significance of recent appellate court decisions.

Three categories of credit are presented to candidates for the supervisory and managerial positions. Five of ten credits are awarded for completion of the written examination, three by the Department promotability board, and two by an oral board whose members are from outside the Department. The police officers' association has joined the administration in proposing basic collegiate education requirements for the promotional eligibility.

The new supervisor must complete special training for his duties within the first eighteen months of appointment. This is the requirement established by the Commission on Peace Officer Standards and Training. This supervisory course is given in an eighty-four hour format over two semesters, with one three-hour unit offered weekly.

A contrast is noted between community relations training offered to recruits, and the total absence of this training for in-service personnel. The recruits receive eight hours of lecture from the community liaison officer and six hours of instruction from a local sociology professor who is a Negro. The only exposure of experienced officers to community relations material consists of a bulletin dealing with the subject. There is no group case study, no role playing and no practical discussion of the subject as an in-service activity. Some officers interviewed expressed desire for in-service training in this field.

Indoctrination in the methods of riot control is called "Civil Disturbance Training" by the Department. Instruction is conducted on an in-service basis by each commanding officer. One-half hour per shift was devoted to the subject until the unit of instruction was covered. Subsequently, one-half hour of instruction is devoted to the subject each three months. Such training is under the technical supervision of the senior sergeant in the Community Liaison Unit. The Department does not have a special detail or squad which could be considered to be its "civil disturbance unit" or "riot squad."

Post entrance training and education is encouraged. Efforts to arrange suitable hours for academic work are made. College-level courses in police science and education are available locally at San Diego State College, Grossmont College and San Diego City College. Course announcements for the University of California Extension are available for distribution at the police academy. Concerning collegiate-level police training, one observation should be made. The program at San Diego City College is staffed exclusively by instructors who are employed in nearby police agencies. There is in this practice a peril of narrow specialization, a peril which faces many vocational fields which develop collegiate-level programs.²

2

There is a tendency for some persons involved in police training on the college and university levels to view the knowledge and principles of some allied social science fields to be antithetical to effective police work. See, for example, the opinions expressed in the minutes of the International Association of Police Professors. At the association's 1965 annual meeting, the following opinion was expressed by some members concerning a suggestion that association membership be broadened to include professors of criminology:

". . . under no circumstances should people in these fields be allowed to become members of I.A.P.P. inasmuch as this is what occurred with the former American Society of Criminology organization which has since become

The San Diego Police Department maintains a small professional library of materials in police science and administration. Members of the Department are encouraged to make use of these materials.

3. Morale and Discipline

Police personnel in all ranks emphasize that morale in the Department is superior. However, invariably attention was called to the discarding of an old shift system which left much to be desired. Particularly unacceptable was a 4 a.m. to 12 noon shift. Recent adoption of a three-month steady shift was welcome, and was vital in bolstering individual morale.

There was more than singular reference to the feeling of Department members toward accusations emanating from the minority community. The expressed attitude was one of feeling hurt and angry at the failure of the accusers to realize the exceptional service the police have been rendering to them. The attacks are considered by the police as unwarranted and are viewed as having a morale-shattering impact.

Nevertheless, the total morale picture of the San Diego Police Department appears superior.³ The response of most members of the lower echelons interviewed spontaneously testified to the validity of this observation. Their exacting manner, their efficiency, their neatness of appearance all support the contention. The spirit of loyalty to the Department reflected in their conversations also indicates the high order of morale in the organization.

A spirit of discipline characterizes the person and activity of the San Diego police officer. Efficiency and control are the qualities which are identified with his performance. Research staff observation reveal his attention to duty, his rapid response to emergency and routine calls for service, and his awareness of supervision and evaluation of his performance. The "watch commander" system of arrest review, perhaps archaic in its essence, neverthe-

dominated and controlled by individuals from Sociology and Social Welfare, and individuals interested in Police Science and Administration were in effect excluded from active participation in the American Society of Criminology.

³ This is confirmed by the responses to a questionnaire which was completed by more than one hundred members of the Police Department.

less is symbolically characteristic of the control over his ultimate action in enforcing the law.

In discussing the matter of discipline with patrolman and sergeants, all testified that discipline in the Department is both fair and sure. There is strong consciousness of the automatic disciplinary checks represented in the formulated suspension. For example, leaving a locker open and exposing a service revolver calls for two days automatic suspension; incurring property damage while backing a police vehicle results in an automatic four days; the third time an officer is late for lineup results in two days suspension, and the next violation of the same type draws four days. A patrolman being interviewed informed the staff that he had missed court through an error in recording his notification, and that he was awaiting a two day suspension. Of particular note was the extreme stoicism with which he accepted the anticipated penalty, appealing to no rationalization or negative feeling toward the superiors who had exacted it.

Suspension is not the only formal notice of breach. For instance, tardiness on a single occasion calls for an oral reprimand from a superior, and a note of the violation in the officer's personal file. The second draws a formal reprimand from the Chief of Police. An examination of personal files indicated notes such as "haircut," "gear needed polish," "dirty ammunition." The laudable factor to be assumed from this type of official disciplinary notice is that the San Diego Police Department is aggressive in preserving its good order, and does not await a complaint from the citizenry in order to discover organizational personnel weaknesses which the Department believes to be important for its own well being.

The City Manager alone can give final approval to dismissal. The Civil Service Commission has authority to review suspensions. While the Chief of Police has much latitude in taking disciplinary action within his Department, his decisions are subject to the check and balance of central city administration.

While systems of personnel evaluation have traditionally fallen short of their objectives, the use of the "Employee Development Form" by the San Diego Police Department appears to be of value. It was indicated by the commanding officer of the investigation division that while its employment by the other city departments may not be so efficient, the desirable statistical curve is attained in his own organization, thus indicating a noteworthy accomplishment of purpose. The "Promotability Evaluation Board," a group of seven ranking officers who examine the applicant for promotion, use the rating results in assigning examination credit. Of interest is the contribution and endorsement of the Police Officers' Association in the exercise of these advanced tools of effective personnel administration.

Probably of most importance in assuring adequate discipline and morale in any police department is the upward, downward, and lateral communication utilized by the administration. Communication should be continuous and extended through the many hierarchical levels of the organization. In this regard, the San Diego Police Department seems of uneven quality. In many respects, the Department exhibits outstanding communication; in other respects, it appears deficient. Much of its communication appears to be established on the basis of regular and systematic exercise. Each commanding officer meets with his Inspector every working day at 8:15 a.m. On the same days, each Inspector meets with an Assistant Chief of Police at 9:15 a.m. Once a month, all commanding officers and Inspectors meet in a round-table fashion with the Chief of Police for a discussion of matters affecting the Department as a whole. At these meetings, disciplinary matters and personnel complaints are discussed, usually in a generalized fashion. Vital information is then relayed back to the lower ranks.

Certainly most Departmental rules, policies, and procedures are available in the form of printed matter. These are circulated to all members of the Department who will be affected. Generally, therefore, the quality of organizational communication found in the Department is to be commended.

Throughout the study, however, research staff members were confronted with the remark that:

There is almost a rule in this Department against putting things in writing.

This remark was made by many personnel in the Department in explaining why an appointment had been missed or why a bit of needed information could not be obtained for the study. In essence, therefore, the routine and the regularized is put in written form. Meaningful staff meetings are held and much needed information is passed on. There are gaps, however, and the non-routine is passed on only by word of mouth. As one ranking officer explained, the Department is so conscious of written material that there is a general reluctance to put things "in writing" unless it has been formally given organizational approval.

The matter of processing complaints against police officers made by citizens is treated in Chapter Nine. It, too, represents attitudes of efficiency exercised in the exactment of internal discipline. Nevertheless, there appeared to be something less than enthusiasm in identifying the handling of these complaints as an administrative tool instead of exerting discipline without prompting. Police administration in San Diego seems to feel quite self-sufficient in promoting the disciplinary needs of its Department. Both superior officer and patrolman appear to consider the control of its member's activity well performed by the Department. In fact, this may well explain why the complaint from outside is so readily identified as an "attack", one which can

serve no useful purpose in the disciplinary structure. This attitude may very well explain the negative attitude relative to the entire police service in the United States.

Nevertheless, discipline should be something which is automatic in a law enforcement agency. The individuality of activity in a police department demands the spontaneous check which good discipline implies. The controls for its expression are well evidenced in the administrative machinery of the San Diego Police Department. It should not be concluded that the Department disregards a citizen's complaint. There is pressure and a desire within the Department to establish an Internal Affairs Unit to process citizen complaints. Such a unit undoubtedly will serve the purpose of making the citizen's complaint the tool of disciplinary action and constructive follow-up it deserves to be. Nonetheless, complaints about police activity originating in the community are generally considered as unwelcome intervention into police internal affairs.

4. The Negro Officer

It is difficult to get exact statistical information on the employment of Negroes by the San Diego Police Department. California law precludes any designation in personnel hiring practices or employment administration which indicates the race of a person. However, it could be estimated that there are approximately twenty Negro officers in the San Diego Police Department. One of these is in the Juvenile unit, and two are detectives. There are no Negro superior officers above the rank of patrolman, although one sergeant recently has retired. There were two Negro recruits in the most recent class of forty members. (July, 1966)

An effort was made to obtain certain information about Negro officers: the number of applicants, their success in completing the examination, their employment, and their attrition rate as compared with that of Caucasian officers. This material could not be obtained.

In accumulating data for this study, it was felt that Negro police officers (current and former) could provide a fund of information and insight into the problem areas of police-community relations.

The fact that only one Negro has achieved the rank of sergeant in the history of the San Diego Police Department presents to some people a prima facie case of discrimination in promotions in the Department. Among the many persons interviewed -- in the Department and in the community -- there was reference to the fact that the Department did practice discrimination in this regard. Furthermore, Negroes formerly with the Department have listed "lack of promotional opportunity" as a factor in their resignation from the Department.

In this regard, information obtained from a former high-ranking officer in the Department is revealing. (This person has been retired from the Department for several years and, therefore, cannot speak with authority about present personnel practices.) Throughout the interview, this person used the term Negro, colored, Nigger, and Jigg inter-changeably. When it was suggested that there had previously been a ranking Negro officer in the Department, this person was shocked and stated, "Hell no, there never was!" He then went on to justify the absence of Negroes from ranking positions by pointing out the known "biological inferiority" of Negroes. When he was reminded that a Negro officer had recently retired from the Department to enter the practice of law in San Diego, he counselled the interviewer that one could always rely upon running into one "bookish Nigger" in any organization. It seems clear, therefore, that during the time this ranking officer was in the Department, there probably was discrimination against Negro officers.

If there is discrimination against Negro officers now, it is of the more subtle type and is more difficult to detect. Research staff members did obtain reference to such discrimination in interviews; however, and this should be emphasized, no member of the research staff was able to verify such accusations, nor was any other evidence of such practices discovered. Certainly, however, the present Departmental administration must recognize and deal effectively with what may be a tragic and unfortunate legacy of a preceding era.

On the positive side of the ledger, reference should be made to the fact that in this research, the San Diego Police Department was often cited as being an "island" in a county where discriminatory hiring practices could be suspected. Of the more than 1,600 police officers employed in the county, the only Negro officers found in the county are members of the San Diego Police Department. Criticism of discriminatory hiring practices are leveled consistently at the San Diego County Sheriff's Department; they are only rarely leveled at the San Diego Police Department. Furthermore, Police Department administrative officers consistently point to the fact that they are unable to attract a sufficient number of qualified, young, Negro men and women.

The recent innovation of a Promotability Evaluation Board in the Department may be pointed to by some critics as being a potential tool for discrimination in promotion. Because of the heavy weight given to the ratings of this Board in the promotion process, care must be exercised that such discriminatory practices do not develop. A key to the effectiveness of community relations ventures may very well lie in the attitude of Negro members of the Department, and if they take an active part in recruiting young people for the police service, then one should expect the status of police-minority group relations to be effective and meaningful. Although the focus of this current section has been upon the Negro officer, attention was given throughout the research to officers of Mexican descent. The observations and statements made relating to Negro officers apply with equal validity to officers of Mexican descent.

5. The Reserve Officer

The Police Reserve is part of the California's civil defense program. However, its use extends far beyond the scope of disaster employment. All of a reserve officer's pursuits are considered to be part of the preparation needed to handle mass emergencies. San Diego has a Police Reserve of approximately two hundred members. They are especially selected volunteers who devote their free time to the organization. The selection process may be unique in the qualifying written examination which must be passed prior to being accepted for membership. This test is to certify that the applicant has the equivalence of a high school graduation.

The reserve officer's uniform is like the regular officer's, except the uniform has silver trimming rather than the gold of the regular. The reserve officer volunteers for duty at special events. In addition, he may go to the patrol captain at any time and offer to accompany a regular officer on his patrol car tour of duty. In the San Diego disturbance which accompanied the Watts outbreak in Los Angeles, one hundred reserves volunteered to assist the regulars.

The San Diego reserve officer represents a cross-section of the populace, and includes many professional men. About twenty-five of the two hundred members are Negro. One of these holds the rank of sergeant. The twenty-five Negroes apparently hold high respect for the San Diego officer, and they, too, are well accepted by the regular. At one time there was resentment for the Police Reserve but now, particularly in the face of the great service they provide in accompanying the officer assigned to a one-man car, the reserve is considered a worthwhile adjunct to the regular Department. Some regular officers spontaneously identified the reserve organization as one of the finest possible sources of positive police community relations, a contention which was substantiated by the observations of a research staff member.

B. Deployment and Enforcement Practices

The basic patrol unit in San Diego is the one-man car. The crew becomes two-man when a student officer or reserve accompanies the regular; and when the "fluid patrol," a hand-picked crew of seasoned and apprentice patrolmen, is assigned to duty in a trouble area. It appears rather remarkable, and an especially efficient use of manpower, that more than three hundred square miles of San Diego are policed by a force of little more than eight hundred men. The ratio of 1.1 officers per thousand population is small indeed, compared to that of other major cities.

As commented upon earlier, San Diego has jealously clung to the responsibility for policing the freeways. It justifies this on the fact that fifty-five percent of freeway traffic consists of local intra-city travel. This reason is coupled with statements that regular enforcement of the law is basic to freeway patrol, and that the City Department is better suited to perform the task than the California Highway Patrol. With law enforcement, ambulance service, and traffic tasks assumed by the local Department, it appears that the mass of chores may be overburdening. Nevertheless, few of the comments made to the interviewers related to increased manpower needs.

There is no foot patrol in the city; neither are there fixed post traffic details. There are no adult school crossing guards. There is, however, a heavy Armed Forces Police patrol and there is evidence of excellent cooperation between the civilian and military agencies. On the "beach patrol," for example, a police truck which is manned by an Armed Forces patrolman and a police officer is driven over the sands and through the streets of the extensive beach area. This assistance from the Armed Forces might be seen to supplement what appears as a somewhat limited city police department personnel strength.

The minority community consistently criticizes the amount of patrol in its area as excessive. There are complaints of overpolicing the Logan Heights district, particularly the schools and recreational facilities. The Police Department on the other hand, does not consider the patrol to be excessive. Its deployment is justified as being dictated by need. Our staff member personally witnessed the case of a young Caucasian sailor who was found beaten by a group of Negro youths in the Logan Heights area one Saturday night. This assault was described as one of three violent ones in the district that weekend.

4. This small ratio is somewhat illusory, however, in view of the fact that it is augmented by patrols of Armed Forces Police. Furthermore, members of the research staff knew of no way to measure the effect on police need which the heavy concentration of military personnel and their relatives makes. Large numbers of the military personnel are undergoing "boot" training and are not, therefore, given the opportunity of spending leave in the nearby communities. Other portions of the population are used to military discipline and control and this may ameliorate their expected "pressure" on police service.

The assault on the sailor, on his way home over the shortest route from his duty assignment, prompted an investigator to ask his Inspector to suggest that the Navy discourage its white personnel from entering the Negro neighborhood. The Inspector replied that a police department had the duty to afford protection, not to protect its futility. He could not, therefore, suggest that anyone stay away from anywhere because of the dangers from potential criminal agency. This might clearly illustrate the need for heavier patrol in areas of increased hazard, and there is no evidence that the patrol distribution by the San Diego Police Department is excessive, or designed to serve other than basic policing needs.

That the tactical assumption entertained by command is that a show of force represents the best deterrent cannot be denied. An example is the weekend dances conducted at the War Memorial Auditorium, an interracial function which has been the scene of frequent disturbances. On one occasion, research staff members counted more than forty patrol units outside the hall. These were in formation, in obvious preparation for further disturbance after a relatively minor flareup. (This constituted more than half of the manpower assigned to the whole city that evening.) Again the minority community sees possible provocation in this exhibition of concentrated strength. Nevertheless, the danger of mass disturbances always threatened at the dance may justify some preventive measures against what could amount to loss of life, serious injury, and great property loss to those in attendance, as well as other citizens.

Minority group persons were strong in their condemnation of the police tactic used in quelling a disturbance that was contemporaneous to the Los Angeles Watts incident. The abortive occasioning of a kind of rioting began in mid-afternoon, and lasted until early the next morning. A field control center was set up in a residential portion of Logan Heights. Cars were manned with from two to three officers; and heavy weapons were conspicuously displayed through car windows. The intensified patrol was continued for a week. Negroes interviewed contend the display of strength was unwarranted and provocative. They claim the actual incident was minor. However, the police again assert that personal violence and major property damage were averted through this preventive action. In view of the evident truth of their assertion that the major incident did not materialize, it is difficult to dispute their contention that the absence of major disorder was due to their decisive preventive action. At the same time, its irritation of responsible Negro residents is too obvious to overlook.

As referred to earlier, the traffic enforcement of the San Diego Police Department is considered to be heavy. Officers assigned to traffic duty are expected to issue at least four citations for violations a day. Special night enforcement squad members on the freeways issue five citations a shift for hazardous violations. Patrol force officers are expected to issue two citations a shift. The Department is proud of its Enforcement Index of fifty-five,

and maintains that the Department's reputation in traffic regulation is the principle reason for its comparative record in traffic accidents and fatalities.

While it is contended by critics of the Department that undue enforcement is directed at the juvenile traffic violator, the Inspector of the traffic division contends that the youth is responsible for more accidents than his proportion of citations would indicate. Concerning the accusation of over enforcement through an excessive number of citations, it is suggested that the use of warnings is encouraged, and may be utilized in as high as thirty percent of all traffic contacts. Again, the factors of low vehicular accident insurance rates and a high enforcement index in San Diego are offered as indisputable arguments to the critics of the traffic policy.

Inasmuch as no racial identification is made on traffic citations, it was impossible to determine whether minorities are discriminated against in exercising the traffic enforcement function. One researcher had the opportunity to be with the Community Liaison officer when he processed a complaint from a Negro who had received an "unwarranted" jaywalking citation. Citation forms provide space for a narrative report of the incident. In this case the Community Liaison Officer reviewed the incident. In his opinion, although the citation appeared valid, something less than good judgment was imputed to the issuing officer, and the citation was cancelled.

Related to the matter of deploying personnel in the minority areas, the question of personnel selection for the assignment presents itself. There is much concern on the part of the Negro community regarding the factors involved in making the assignments. Although administrative-level officers appear to resent having to give special consideration to making duty assignments to minority group areas, they obviously recognize that this is a term and condition of policing in today's urban setting. Apparently, in former times assignment to the Logan Heights area was taken as a necessary part of a new officer's

5. The Enforcement Index of a Police Department is obtained by using the following formula:

Convictions with penalty for hazardous violations
Motor vehicle accident with injury or death

p.545, International City Manager's Association, Municipal Police Administration, (5th Edition) Chicago, 1961.

This text lists an Enforcement Index of Twenty as being "effective," but in a footnote, the author makes the following comment: "These [various indices] are general only, and do not necessarily apply in every city. Local experience and evaluation should be developed wherever possible."

training in police work. There is, today, less readiness to use this area as a "training assignment." Furthermore, administrative officers recognize the fact that a particular officer may, indeed, be ill-suited for duty in Logan Heights, and they insist that upon discovery of these qualities of temperament and social outlook, that particular man be re-assigned.

Nevertheless, there appears to be no Departmental criteria or systematic method for choosing one man over another to work in minority group areas. Assignments to any particular area are not permanent, and this practice may account for the absence of a study of the factors which should ideally go into such assignments. The belief and attitude on the administrative level that all law enforcement should be accomplished in an atmosphere which is bias-free may also account, in part, for the lack of precision in selecting policemen for service in these areas. In the absence of a deliberate plan of action, trial-and-error is the method which is utilized. On the patrolmen level, also, there is resentment over the fact that race, attitude, temperament, or social outlook should be a factor in making any duty assignment.

In summary, there are no deployment or enforcement practices which indicate overt discrimination against or in favor of any group in the community. It is recognized, however, that subtle intangibles which are less suitable to measurement may very well underlie much that appears normal and neutral. It cannot be expected that the prejudice which underlies the attitudes of the general population should be totally absent from police organizations. Policemen, after all, are products of their general environment, also.

Protestations by administrative officers that the Department is not guilty of discrimination in any form lends suspicion to its presence in subtle and almost undetectable form. The Department apparently has dealt with many of the more glaring or overt forms of discriminatory practices which may have existed previously. What remains to be done is more subtle and more intangible -- and consequently, more difficult -- and this lies in the area of instilling in all levels of the Department an understanding and an appreciation of behavioral and environmental elements so crucial to social control and law observance in a democratic society.

Police-community relations problems are not, however, solely the function of individual officer attitude. More important is the effect of certain structural and organizational forms. In Chapter Two, an analysis was made of the "Police Mission" as it is conceived by the Department and members of the Department. This is a part of the "structural form" of the Department, and so is the way in which the Department organizes itself to accomplish its mission. The tactic of using a "show of force" as a regular response to potential civil disturbances is related to the way in which the Department sees its mission, as is the development of the Department's "disciplinary code." Policemen are disciplined for failing to live up to the code of the Department, and this includes failure to attire themselves or to conduct themselves in the manner the Department desires.

The San Diego Police Department -- in common with departments throughout the nation -- sees itself as a quasi-military organization. It constructs what it feels are clear lines of authority linking subordinates to superior officers. Communication patterns in the Department are expected to conform to the chain of command described by these lines of authority. It is suggested that there is less "give-and-take" and less free exchange of ideas in such a setting than there is in organizations which view themselves as essentially civilian in outlook. It is also suggested that staff conferences in such a setting exist not so much for the exchange of ideas as they do for the imparting of the Department's policy on given matters.

Finally, there are also deployment and working patterns which are part of the Department's structural form. These also seem directly related to "problem areas" in the community relations field. Criticism about field interrogation procedures was consistently and vigorously voiced by segments of the community. Persons in the community charged that such procedures were used to discriminate and to harrass whole categories of residents. These charges have been analyzed and discussed in earlier portions of this report. What hasn't been discussed is the relation of structural form to these charges.

At the present time, the policeman in San Diego is assigned to a steady shift for a period of three months. At the end of that time, his assignment is likely to be changed. Even during this time, however, he may not be assigned to the same patrol beat. Rather, he is likely to be assigned only to a more general "sector" of the City and be expected to be familiar with this much larger area. The point is, conflict over field interrogations with the community is almost inevitable, given the Department's mission, its "production formulas" and the likely unfamiliarity of the policemen with the people on his beat. If a policeman is not kept on a beat long enough to become familiar with it, his likelihood of observing "unfamiliar people" is very high. These are the people he stops.

The use of one-man patrol cars is also directly related to community relations problems. Under present manning schedules and the Department's emphasis upon thrift, economy, and efficiency, the policeman is assigned to a territory where the workload is great enough to occupy most of his time. Despite the best of intentions, he simply does not have the time to have casual, non-official contacts with the public. Earlier, mention was made of the expressed desire by the Department that its officers make a practice of stopping at schools and recreation centers to become acquainted with youths. Interviews with members of the Department make clear, however, that personnel simply do not have the time to make obviously "desirable" non-official contacts. Circumstances, or structural form, have sealed the officers off from these types of contacts.

The operation of the one-man patrol unit also encourages the policemen -- unless directly commanded to do so -- not to leave their patrol units unless they are engaged in some duty obviously related to their primary mission, law

enforcement. If they leave their patrol units, they are without communication with central headquarters and they cannot be reached if they cannot hear their unit's radio. Furthermore, all foot beats were given up by the Department because of their "inefficiency" in meeting today's police problems. Consequently, the citizen meets a smartly dressed, courteous, and well-disciplined policeman, but he meets him generally only when the policeman is performing some enforcement function. He rarely meets him in a non-enforcement or non-official capacity.

The heavy reliance placed upon the individual officer's "production" induces similar aberrations into police-community relations. The development of formulas as control devices has subtly encouraged the policeman in San Diego to do those things for which he receives approval and to avoid doing things which do not result in some tangible organizational benefit. The policeman in San Diego does not have a "quota", per se; he does have, however, a formula of "expected" performance; he is under clear organizational pressure to perform up to those expected levels. This means, therefore, that the traffic officer is under organizational pressure to produce those things which the Department feels have an effect upon traffic accidents, that is, he is under pressure to issue citations for hazardous moving violations. Commonly, therefore, the traffic officer issues four citations for each warning. The vast majority of these citations result in a negative police-citizen contact.

These structural forms are matters over which the individual policeman has no control. If these matters create problems for him, he can only hope that the organization will take the necessary corrective actions. In the meantime, however, he identifies with and accepts the Department's way of doing things. He does not question these because of his training and because he understands the quasi-military nature of police organization. Criticism of non-police people, therefore, becomes criticism not only of himself, but upon the whole organization.

The interviews of patrolmen and superior officers alike seem to give evidence that the charge of inadequate community relations represents to them a kind of attack, i.e. something which must be repelled, rather than a challenging problem which must be solved. There does not appear to be in the Department an adequate comprehension of the need for speaking the language and entering into a genuine communication process with minority groups. The prime example, of course, is a general police comprehension of "brutality" as being something physically traumatic, rather than as emotional in its most meaningful context. The sensitivities of the minority group persons do not seem to be fully appreciated as determinative of the attitudes directed negatively and generally at the police. It may be argued correspondingly, however, that the minority group spokesman's failure to appreciate the police role tends to reinforce these inadequacies of the police officer's perspective.

C. Police Culture

As in any other organization, the self-imposed image of the San Diego Police Department is determined partly by the way in which it sees itself, and partly by the way in which others see it. It was indicated meaningfully in the interview of an eloquent Negro that the position of the law enforcement agency cannot be seen in isolation. The San Diego Police Department by necessity must mirror the attitudes and perspective of the community which confers its essence.

San Diego is politically and socially conservative. It may be that this conservatism results in a respect and admiration for a Police Department which in part the community representatives view as the guardians of a status quo which is their own identity. Thus, those persons of the majority community who were interviewed almost unanimously entered into spontaneous accolades for the San Diego Police Department. There was a simultaneously expressed consciousness of potential peril from the powers of disorder, probably vaguely identified with forces which hold the avowed objective of overthrowing the existing social order. Implicitly the fundamental tool for meeting the attack is held to be force, and in this view the Police Department must be free to use this force in meeting the assault. The massive respect may be utilitarian in its essence, recognizing that permitting the protective arm of the community to fall into disrespect would imperil the endangered corporate entity.

Consequently, the conservative press of San Diego, singular and unchallenged in the power of its voice, also holds the respect for its Police Department tendered by the rest of the community. Police administrators universally proclaimed its freedom of attack from the press. This seems somewhat remarkable in view of the general feeling of victimization most policemen seem to assert when the question of press relations is raised. While attack on the police is common, and while this sometimes represents an assault on the community's administration, the San Diego Police Department testifies to immunity from the onslaught of its majority press.

Contrariwise, the minority community is critical of the police, even as it is dissatisfied with its own relationship to government. There is an undercurrent of interpretation of the police role as the maintenance of the oppressive status quo. There is a belief that the police are unwilling to listen or to understand the culture or people of the minorities. The policeman is impersonal and hardened, restraining open hostility by maintaining a cloak of coldness. He is considered prone to discriminate against the minority member when he exercises his department's enforcement policies. He will not hesitate to hurt if the occasion for hurt presents itself.

The policeman's only language -- his only tactic -- it is alleged -- is one of force. The conspicuous firearms of the "little Watts" in Logan Heights during August, 1965, have become symbolic of a sole answer being found in force, and the omnipresent threat to use this force. While those prone to

break the law hold a police image of blind hatred, the law abiding segment of the minority community believes that the policeman enters the area with an unqualified assumption that "all are bad," and that "all" must be subjected to identical preventive restraints as the only means for preserving the good order. The police are believed to embrace an unthinking perspective which holds that "everyone black is the same" -- that there is a group characterized by color and heritage which is prone to breaking the law, threatening the maintenance of the peace, and endangering life and property.

Consequently, the supposed aggressive attitudes of the police draw attitudes of counteraggression -- in the form of charges that the actual physical brutality of undue force, or the emotional brutality of rudeness and harassment and exacting embarrassment have occurred. The Police Department, envisioning its function as being in accordance with formulated law, rejects the charges as being unfair and unwarranted. In its conditioning to accept a dichotomous view of human acts and attitudes as being in conformity or non-conformity with society's tenets, the police cannot see the shades of validity and justification in their attackers' perspective. Consequently, they ward off the assault by encasing themselves in a negative wall of protectiveness, manifested in the oft-expressed feeling of genuine hurt at the minority community's unjustified accusation.

The San Diego Police Department prides itself in what it considers a fine sense of public relations. It promotes an image-building function. It considers itself highly efficient, law-abiding, and perfectly fair in its enforcement of law. This overt policy of hypnotizing itself into feelings of functional perfection creates an all-the-more traumatizing clash with the image embraced by the minorities outside. When it attempts to deal with them, it appears that the first objective is to communicate the favorable image to counteract the negative one. In fact, it is apparent that the community relations movement primarily is designed to accomplish its ends through causing the minority member to accept the Police Department. Unfortunately, the promotion of acceptance is based on the premise that a police department must be accepted as it exists without further adapting itself for better acceptance. Furthermore, there is a reluctance to understand the significant difference between public relations and community relations.

Recognition of this weakness in its community relations attitudes is reflected in the Negro's charge that the community relations officer is a mere "errand boy" for police administration and that community relations is a "one-way" street. Its existence is testified to by the San Diego Police Department, who while being highly advanced in its training methods, finding it not important to introduce community relations into some form of in-service instructional format, notwithstanding the course offered the recruit. The sense of prevailing weakness is reinforced by the avowed lack of true concern on the part of the superior officer and experienced patrolman with community relations as it relates to the minorities. The absence of internal communication on the matter stands in glaring contrast with the external communication set up by the same agency. It must be interpreted by a premise that the community relations program of this organization truly embraces a dictum directed at those outside, "You must learn to accept your police department," without advancing the corresponding premise, "We will make ourselves more acceptable to you, as well."

D. Accommodating to Social Change

It may not be true that San Diego is typical of what one Negro spokesman called the "Californian Mississippi of the West." This person pointed to the scarcity of Negroes in the several categories of employment -- in transportation, custodial and other services -- occupations they have elsewhere. The weakness of the Negro voice in the area, his failure to show strength in demonstration, were illustrated as his identification in being a true minority figure in this part of the Nation.

The progressive attitude towards meeting the challenges of inadequate relations with the minorities in San Diego may be of multiple origin. First, the Negro voice in San Diego, although weak is eloquent; secondly, considerable support has come from the higher socio-economic and intellectual strata of whites in the community, who have allied themselves to the minority spokesmen; thirdly, the realization of a Watts, well illustrated by the sparks of proximity which cast their threat in 1965, has made the community highly conscious of potential explosiveness; fourth, the industry and commerce of the area probably recognizing that the community's economic and social well-being are related to adequate race relations, has aggressively entered the quest for solutions.

The police department, as the strongest and most sensitive arm of local government, is the natural agent for promoting a community relations program. The identification is not founded in political essence, but is an offspring of social forces, as well. The ills of a community are more apt to be directed towards the symbolic wielder of a community's authority, and the police agency is the natural objective of the scorn of the oppressed. One does not hear of community relations programs becoming integral parts of other municipal departments. They are commonplace in police organizations, and the San Diego Police Department's program is loudly proclaimed by its majority community promoters.

The formalized structuring of a program, imbued with advanced notions of indoctrination and press agency, is matched by progressive attitudes of the Police Department's administration and several ranks of manpower. Research staff members were impressed by the desire to find new ways of doing the job which characterized both the police top echelons and police employee organization alike. The San Diego Police Department is exceptional in embracing attitudes which are truly "professional" and are of the kind which will be needed to raise the status of the police vocation.

This attitude of sensing a need to progress certainly cannot be divorced from a sense of need to recognize the evolving demands made upon the police agency. Interviews with superior officers and patrolmen alike demonstrated that many were ready to enunciate their recognition of the new social forces which have to be met. While some indicate their distrust of the forces which underlie the new social unrest, most men displayed laudable insight in their acceptance of them. Contact has disclosed that the level of intelli-

gence in the Department is high, and there can be little blindness to the emergencies of the era that will affect accomplishment of the police objective.

This attitude of progressive acceptance of an environment's reality is particularly exemplified by what may be less specific complaining of the "evils" which have befallen the police. While it has become commonplace for law enforcement's spokesmen to deplore the adverse rulings of the high court, the lack of respect for authority, and the restrictive shackling of the police hands in doing the job of policing, this form of stereotyped utterance was not found to be as pronounced in San Diego as they may have been in other metropolitan police departments. The pro-police press, however, has been vocal in its criticisms of appellate court decisions, and loudly decry the alleged "anti-police" rulings.

In summary, there were found to be mixed attitudes on the part of the San Diego policeman relative to the evolving forces in the policing environment. While the policeman's weakness in meeting the challenge and has been described as lying in a feeling of self-sufficiency and adequacy in the essential structure of his organization's functions and attitudes, it will be easier to correct this deficiency than having to instill a realization that there is a need to meet the challenge. The San Diego Police Department has progressed well beyond this elemental stage of "public relations" programming. Nevertheless, it must make a special effort to understand the essential difference between desirable public relations and a complex community relations program.

Chapter Nine:

ACCOUNTABILITY -- THE PROBLEM OF POLICE CONTROL

A. The Theoretical Base of Police Control

In theory, citizens in this country have the right to complain about the quality of the service which they receive from public employees, or about instances in which they feel they have been mistreated by such employees. In practice, however, there is a growing body of literature which attests to the fact that citizens often feel almost powerless when they think they have been aggrieved by the employee of some governmental agency. Concern has in recent years been directed particularly at police departments, and the suggestion has been made that citizen complaints against police behavior need to be reviewed independently by some committee or group of citizens. Public pressure for such independent review has resulted in the establishment of Police Review Boards in two cities in the nation. Similar public pressure is attempting to establish such Boards in countless other cities.¹

Because displeasure about police procedures for handling complaints from citizens is a significant part of the police-community relations problem, members of the research staff determined to examine the methods used in San Diego. Inquiry was made into the existing avenues of complaint processing and also into the actual practice which was involved in reviewing

¹ Chapter 10 of Section III of this report contains a comprehensive study and analysis of the Philadelphia Police Advisory (Review) Board along with a history of its founding in 1958. This is the first time such a study has been made of what may be the most controversial subject in the police administration field. In this study, there is also a discussion of the arguments which are used in favor of and in opposition to the establishment of such Review Boards.

and acting upon these complaints. An analysis and discussion of the inquiry follows.

San Diego City and the San Diego Police Department provide numerous official avenues through which citizens may communicate, formally or informally, complaints regarding police policies or behavior. These are listed as follows:

1. The Office of the Mayor is open to any citizen. A citizen may approach the Mayor with business appropriate to his office or with business which has not been treated satisfactorily by another agency of official of the city.
2. The offices of the City Manager and the Assistant City Manager are open to any citizen on the same basis as that of the Mayor. The City Manager may be regarded as the supervisor of the Chief of Police.
3. The office of the Chief of Police is open to any citizen. A citizen may question the Chief directly about police policies and behavior in San Diego. Citizens may suggest improvements, inform the Chief of community needs, or complain about specific instances of police misconduct.
4. The Community Liaison Unit may be contacted by any citizen for purposes of informing or inquiring about any aspect of police community relations in San Diego. Formal complaints against police officers may be initiated through this unit.
5. Citizens who go to the Police Department in person or telephone the information desk are referred to the appropriate supervisor or unit. In case of a complaint, referral may be to any supervising officer who may, in most cases, initiate investigative procedures.
6. Another city agency which is open to citizen contact regarding the Police Department is the Citizens' Interracial Council, or C.I.C. The C.I.C. was formed in 1963, and is supported with municipal funds. It was designed to function as a coordinative agency which would assist numerous separate citizen organizations in relating to city government. Some time ago, the C.I.C. began processing any citizen complaints which it received against the San Diego Police Department. These complaints were screened and those which had sufficient merit or which were otherwise significant were forwarded to the Chief of Police. By adopting this practice, the C.I.C. opened up an additional avenue through which citizens may submit complaints to the Police Department.

San Diego does not have a civilian police review board, but the issues regarding the creation of such a board have been raised. In July 1966, the suggestion was made for the establishment of a variation of a review board at an assembly called the City Community Conference. Initially, the City Manager publicly professed considerable interest in the proposal. He told those attending the Conference that he would review the suggestion and make his decision known. He also cautioned the senior police officers present not to jump to the conclusion that every suggestion for a citizens' committee involved the threat of an actual Police Review Board.

Two members of the research staff saw the City Manager during the next week and discussed the matter with him. At this time he stated that he had decided not to go along with the citizen request, that he had originally thought the idea had some merit, but conversations with the Chief of Police proved that it was not a good idea. The Manager stated that the Chief of Police was "unalterably opposed" to the idea and that he would never get the Police Department to accept the idea. The Chief stated that police opposition was based upon the fact that this "new" proposal was, in fact, simply a cover to conceal the eventual establishment of a full-scale Police Review Board.²

B. Qualities of the Channels for Expressing a Grievance Against the Police System

The formal channels provided by San Diego for receiving advice or complaints regarding the police from the community-at-large labor under certain operational difficulties. Although these channels really exist and are offered for public use, the natures and attitudes of the various groups and individuals in San Diego whom they must serve place serious limitations upon them.

² The most interesting part of this whole matter is the fact that police opposition was enough to kill the proposal. The City Manager could have expected the Police Department to take this position, for such opposition to citizens' committees is frequently based upon the suspicion that a Review Board will be the natural development of such committees.

Critics of the police stand on this and allied questions state that police opposition is almost unanimous, and that their opposition has taken on the characteristics of a "party line," particularly in view of the fact that the police are using essentially political arguments to fight such proposals.

The "open door" policies of the Mayor, the City Manager and his assistant, and the Chief of Police fail to attract many citizens who have complaints against the Police Department -- especially potential complainants who are economically disadvantaged. The Community Liaison Unit of the San Diego Police Department invites and aggressively seeks citizen contacts. However, many citizens (again, the disadvantaged, in particular) remain unaware of the Unit's existence and intentions. Also the Community Liaison Unit has no authority over Departmental policies or individual patrolmen; therefore, in terms of the citizenry, the Unit may function only as a source of information or as an indirect means of speaking to the Chief of Police.

The Citizens' Interracial Council is regarded by many persons as the most approachable of the formal complaint channels. However, preliminary processing of complaints received against the police is only an incidental function of the C.I.C. and, officially, it has no more authority to demand that the police follow-up on complaints than has a citizen. Nonetheless, C.I.C.'s preliminary processing of the citizen allegations which it receives is beneficial to the complaint procedure in several ways. In the first place, the approachability factor, mentioned above, is demonstrably significant in that complainants who contact C.I.C., in so doing, automatically reject those official channels which are specifically designed to accommodate them. Secondly, the fact that C.I.C. submits, on the average, only one out of four of the total number of complaints it receives has the effect of giving added weight to approved allegations. Third, C.I.C. either receives or obtains the disposition on the complaint and communicates this information to the complainant. Dispositions on complaints made through other channels are not usually made known to complainants. For instance, even dispositions on allegations initiated through the Community Liaison Unit are not, as a matter of policy, communicated back to the complainant.

The complaint investigation is performed primarily by the commanding officer of the accused, and the procedure is, for the most part, unwritten and vaguely defined. The general process is outlined in a brief paper intended for public distribution, but the description given therein differs from actual practice.

The San Diego Police Department has no Internal Affairs Unit to process citizen complaints against officers. Budget application has been made twice for two superior officers to serve in this function, but the request has been rejected in the budget process each time. The creation of an Internal Affairs Unit would potentially enable the Chief of Police to exercise more control over the processing of citizen complaints than is now the case.

Data concerning complaints against police officers are not readily available. For instance, the office of the Chief of Police was asked for information regarding the number, kinds, and dispositions of complaints received over a given six-month period. The only information which could

be obtained from that office revealed that sixteen complaints had been filed during this period. However, the files of the Patrol Division which were freely made available to the research staff revealed reports of eighty complaints that had been processed. Sixteen of these involved charges of unnecessary force, twenty-three alleged loss of property during arrest or other police contact, and ten complaints specified discourtesy. The remainder dealt with a variety of minor accusations. The final disposition was not always indicated in the record.

Complaint investigation reports tend to be quite lengthy, even in the case of minor or unclear allegations. A typical investigation report in response to a complaint from an arrested person that he had lost money somewhere during the arrest procedure included the following information: 1) a copy of the pertinent parts of the jail incident log; 2) a sergeant's report on the details of arrest and the arrestee's condition; 3) the accounts of two witnesses to the arrest; and, 4) a study of the actions of the arrestee prior to his arrest. The report on a typical complaint in which the use of excessive force was alleged called for a clarification of the exact complaint, an account of all interviews conducted, and a careful formulation of the investigator's conclusions.³

Except in the gravest of cases, written statements are not taken either from the accused officer or the complainant. This omission in practice is

³ Despite their length, however, it may be that the investigations are not always complete. Time did not allow members of the research staff to make more than a few follow-up checks on the investigation of complaints. In one case which was followed-up, however, it was found that a neutral witness had never been contacted by the police in their investigation. This case involved a Negro male who had been arrested for intoxication. After his release, he went to the Police Department and stated that he "thought that he might have" been hit unnecessarily on the head by the arresting officer. He wasn't sure and didn't want to make a "fuss" but he stated that he would appreciate having it looked into. After a lengthy investigation report, the investigator concluded that the subject had not been hit on the head and that the officer had conducted himself properly.

A member of the research staff contacted a neutral witness who observed the whole transaction on the street. This witness had not been contacted by the Police Department's investigator. Interestingly enough, this witness was very supportive of the police action in the case and felt that the police officer had conducted himself humanely and "admirably."

contrary to the Police Department's published formal outline of procedures. In addition, when a charge is substantiated, it is policy to give no details of disposition, but merely to assure the complainant that the matter has been handled adequately. If a word-against-word stalemate has resulted, the complainant is, generally, not advised of the conflicting areas of testimony.

The practice prevails of calling upon the officer who is the object of a complaint to submit a detailed report. This is a source of resentment on the part of the officers. Many references were made in interviews with the research staff that this practice gave an inference of guilt. Otherwise, the patrolmen are not particularly sensitive about citizen complaints, nor do they believe themselves to be particularly victimized when their superior officers investigate such allegations.

The ultimate filing of findings is vague. The top echelon of command officers believes that the record does not become part of the file of the officer complained against unless the merit of the charge is clearly established, and disciplinary action results. On the other hand, the Chief of Police stated that all complaints are filed in the personnel folders in his office, regardless of merit. Personnel files contained in the Traffic Division are alleged to include all complaints, whether or not their validity has been established. On the other hand, the Patrol Division commander destroys his complaint files after about eighteen months.

Only in grave accusations, involving elements of criminality, does publication occur. News media do not attempt to learn the details of other cases involving police officers. If there is to be a release of news concerning a citizen's allegation, the Chief of Police is the only one authorized to make the release.

The formula for complaint processing is arbitrary and vague, and the principals involved are uncertain as to what the end product may be. There is inadequate communication and recording of the findings, which minimizes the remedial value of the procedure. The public relations value of receiving complaints is damaged by Departmental reluctance to communicate specific findings and dispositions. This reluctance nurtures the doubts and distrusts which a sensitive minority community already possesses about the Police Department.

Among those interviewed who expressed any opinion at all, the consensus of opinion regarded the complaint procedure as inadequate. An informed Negro observer stated that average citizens complaining about the Police Department could not get a fair hearing:

...because there is no hearing board...the police feel that they should take care of their own problems and

that any civilian or citizens' committee would just hinder them, and they don't want anyone looking at their business.

A Negro professional man stated:

...the Police Department, the officers and so forth, do not listen to the little man, or the citizen, the complainant.

Speaking of what has occurred in the past with the present complaint procedure, the same professional made the following comments:

The actual practice is that if a complaint is made, it is not really processed or heard; it is not investigated all of the way with the persons involved in some kind of dialogue or discussion as one of the ongoing processes.

Officers simply did not assume that complainant had any basis for complaint, and [he] is therefore treated accordingly. They do not ascribe any legitimacy to the other person's position. Therefore, there is no procedure, per se.

A Caucasian professional man stated that there is:

...a definite need for a change in the current complaint procedure of the Police Department.

Among the deficiencies listed by this person were the failure to advise complainants as to outcome, and the absence of either a grievance board or high-ranking officer within the Department capable of exercising an independent review function.

A typical statement by a lower-class Negro is as follows:

Would I get a just response from the Police Department?
No. They don't do that; you know, you can't really get justice at all, you know--not in this society.

Cynicism about the integrity of police investigations is often expressed via anecdotes regarding police attempts to conceal incidents involving their own men. A Negro minister related one such story, as follows:

Normally, they [the police] will try to force the complainant to forget the complaint, but if you demand that

something happen, that it be investigated, they will carry it further. I know one particular case where a woman was raped by a policeman who was off duty; the first time they complained to the Chief, or the-- this particular officer's commanding officer--they squelched the complaint. But, due to circumstances and advice from people, this lady went to the City Manager, and-- which subsequently led to this officer's being sent to prison. But, when they first went down to the Police Department, themselves,--why nothing was done.⁴

Numerous other persons both Caucasian and Negro emphasized that many potential complainants fail to complain because of fear or ignorance. Such people simply are not reached by the present provisions for complaints against the San Diego Police Department.

Members of the research staff are impressed with the general willingness of the Police Department to discipline its members for misbehavior. Developing a written policy on citizen complaints about the police and having large numbers of copies of this policy printed and distributed to the public is noteworthy. Despite these notable features, however, the existing channels for receiving complaints and processing these complaints need some remedial action. In the first place, the policies outlined are at variance with practice in some regards. Second, the data of this study reveal that the policy within the Police Department is not always consistent, even when at variance with written policy. Third, the number of complaints received is not always a true guide to the feelings of persons in the community, particularly those in ethnic minority group communities, or those who are economically disadvantaged. Mexican-Americans have a particular fear of participation, and only middle-class oriented persons or militant spokesmen may actually have the courage to file a complaint. Fourth, there is a difficulty of interpretation and communication, for the term "police brutality" means one thing to segments of the community, and quite another

⁴ The Project Supervisor has personal knowledge of the San Diego Police Department aggressively investigating even anonymous complaints alleging sexual misconduct of its officers--both off-duty and on-duty. He also has personal knowledge of officers being dismissed for implications in situations much less serious than the one related, above. This incident is related because it is recited as an anecdote in the ethnic minority group community. One can only speculate about the reasons for such a story to circulate if it is untrue; the Department's policy of not publicizing its action on complaints may contribute to this condition, however.

thing to the police. Finally, there is the problem of communicating the disposition to the complainant. Unless the complainant actually hears from the Police Department, he is likely to feel that the complaint was ignored, "just as he knew it would be."

Failure to adequately address the complaints of citizens is likely to result in a widespread lack of confidence in the Police Department. Once that situation develops, the Police Department is often powerless to correct the situation. Consequently, this lack of confidence leads inevitably to appeals for independent review procedures.

Chapter Ten:

CONCLUSION

Police-Community Relations implies an interaction between two social functions, that of the police and that of the community, each of which may be viewed as separate unities. This is supported by recognition that the police must be responsive not only to the will of the local community as reflected in the municipal ordinances but also to the wishes of the broader community. There is ample evidence that these two communities may not always be in agreement. Furthermore, within the local community itself, segments of the community may be in disagreement. The police are required to address these divergences and effectively engage the disparate elements which are found in the modern urban community.

The extent to which it is possible for the local police to associate with and to support the philosophy of the community is a measure of its good relations with the public which it serves. Good relations cannot exist where there is substantial dissonance between the community and the police. The concept of the "general community" must be viewed within our democratic framework as the will of the majority expressed without detriment to the rights of the minority. Hence the problem of attaining a good relationship is not one alone of modifying the structure of the police to meet the needs of the local community, but also the necessity of achieving a police-community consensus through communication and effective interaction among all the segments of the community and the police.

The evaluation of police-community relations is a function of the perception which the police have of the community and which the community has of the police. These perceptions, particularly in the case of the community, are divergent. This study has undertaken to identify, measure, and evaluate these divergencies and to suggest ways in which more effective police-community

relations could be achieved.

The standards of measurement, as have been discussed earlier in this report, are based to a certain extent upon comparisons, but realistically it has also been necessary to evaluate the communities studied as separate entities. Many social factors are not comparable. Each city has a distinctive pattern of interrelationships. This does not preclude recommendations which are generally applicable to the improvement of any police-community relations program but it cannot be assumed that there is any one design for these relations which is infallible. Since each community is both distinctive and similar to other communities, this study has attempted to point out these qualities and to provide recommendations which are both specifically and generally applicable.

It has been stated, and it is evident that the San Diego Police Department reflects and supports the general views of the majority of the community and that, in turn, the general community supports the policies of the police. Community support is reflected in the degree of discretion which the Police Department is permitted without external interference. There is insignificant dissonance between the social philosophy of the general community and the Police Department. Only in the realm of traffic regulation enforcement does any appreciable amount of dissonance between the police and the general community appear. Partly, this appears to be the result of the Department's too literal interpretation of its mission in the traffic safety field, and its tendency to view aggressive enforcement as the only solution to the problem.

When confronted with suggestions that its enforcement policies are unrealistic, the Department tends to react in a negative way and to use its often expressed policy of absolute impartiality as answer to these suggestions. The structure of the Police Department seems to be particularly non-adaptive to external suggestions for modifying its enforcement practices. The organizational structure of the Department is designed and functions to assure that consistency and conformity will be achieved and maintained.

The dissonance within Police-Community Relations in San Diego, which is significant, exists as a result of intra-community divergences. The general community itself, is reluctant to entertain acceptance of sub-cultural or marginal peculiarities which are inconsistent with the mores and social patterns of the majority. Middle-class values are strongly supported by the general community, which is especially homogeneous in San Diego. Any form of divergence, whether it is "wrong" or simply "different" is subject to disapproval. This is evidenced by the manner in which the middle socio-economic Negro identifies himself with the general community at the expense of his isolation from the lower class Negro.

The police respond to this dissonance significantly more quantitatively than qualitatively. They do not display so much a different procedure toward

the segments of society which are alienated from the general community as they do an intensification of procedures. They become more visible and more active as a response to the concern of the general community. The effect is that the alienated sub-cultures view this behavior as "police harassment." Actually it can be traced to the attitude of the general community.

The police cannot be let entirely "off the hook," however. They are permitted extensive autonomy in conjunction with municipal decision-making. It is doubtful, however, that they use this discretion in order to bring about changes in their own procedures. Once the decision is made to make these changes, however, the quality and discipline of the Department is such that the organization will probably respond to its leadership.

Other significant factors are based primarily upon the unwillingness of the Department to subscribe to continual internal and external objective evaluation without defensiveness. There is indication that the Department finds most criticism as threatening and thus adopts a rigid stance which is unfortunately supported by a strong conservative segment of the community. The need for this is questionable because of the degree of support given the policy by the general community.

In regard to this community support there is evidence to suggest that the police have evaluated this in a slightly too restrictive manner. The police may have greater latitude than what they assume in the area of discretion. It is more likely that positive changes can occur in police-community relations if this is recognized and acted upon.

The strongest caution should be directed toward police assumption that Police-Community Relations is equated with or is a function of Police Public Relations. The latter stresses one-way communication, the former two-way. This study has shown that a constant request of those who are alienated from the general community is that they be "understood." Their assumption is that they are not heard and thus not understood. "Hearing" requires that the police listen to varying viewpoints, as well as present their own.